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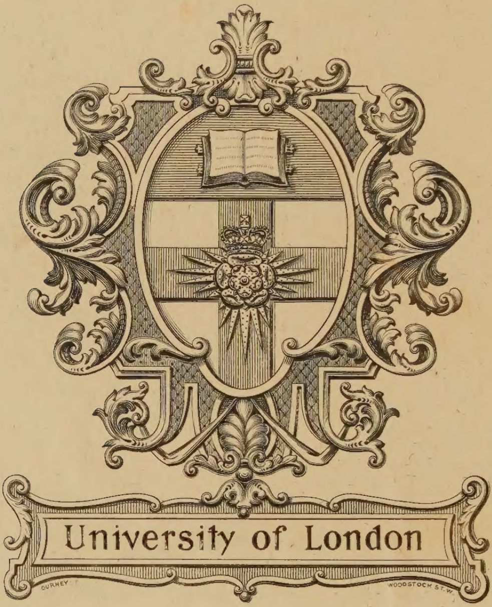
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HANSARD'S

PARLIAMENTARY DEBATES,

THIRD SERIES:

COMMENCING WITH THE ACCESSION OF

WILLIAM IV.

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54 VICTORIÆ, 1890-91.

VOL. CCCXLIX.

COMPRISING THE PERIOD FROM

THE TWENTY-FIFTH DAY OF NOVEMBER, 1890,

TO

THE FOURTH DAY OF FEBRUARY, 1891.

First Volume of the Session.

THE HANSARD PUBLISHING UNION, LIMITED,
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"HANSARD'S PARLIAMENTARY DEBATES."
UNDER CONTRACT WITH H.M. GOVERNMENT.

1891.

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Chronology of Hansard's Debates.

The PARLIAMENTARY HISTORY contains all that can be collected of the Legislative History of this country from the Conquest to the close of the XVIIIth Century (1803), 36 vols. The chief sources whence these Debates are derived are the Constitutional History, 24 vols.; Sir Simonds D'Ewes' Journal; Debates of the Commons in 1620 and 1621; Chandler and Timberland's Debates, 22 vols.; Grey's Debates of the Commons, from 1667 to 1694, 10 vols.; Almon's Debates, 24 vols.; Debrett's Debates, 63 vols.; The Hardwicke Papers; Debates in Parliament by Dr. Johnson, &c., &c.

The PARLIAMENTARY DEBATES commence with the year 1803, and the contents are set forth in the following Chronological Table:—

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THE MINISTRY

Of the Most Noble the Marquess of SALISBURY, K.G., At the Opening of the Session on the 25th November, 1890.

THE CABINET.

Prime Minister and Secretary of State for Foreign Affairs	Most Hon. Marquess of Salisbury, K.G.
First Lord of the Treasury	Right Hon. William Henry Smith.
Lord Chancellor of England	Right Hon. Lord Halsbury.
Lord Chancellor of Ireland	Right Hon. Lord Ashbourne.
Lord President of the Council	Right Hon. Viscount Cranbrook, G.C.S.I.
Chancellor of the Exchequer	Right Hon. George Joachim Goschen.
Lord Privy Seal	Right Hon. Earl Cadogan.
Secretary of State, Home Department	Right Hon. Henry Matthews.
Secretary of State for the Colonies	Right Hon. Lord Knutsford, G.C.M.G.
Secretary of State for War	Right Hon. Edward Stanhope.
Secretary of State for India	Right Hon. Viscount Cross, G.C.B.
Chief Secretary to the Lord Lieutenant	Right Hon. Arthur James Balfour.
First Lord of the Admiralty	Right Hon. Lord George Francis Hamilton.
Chancellor of the Duchy of Lancaster	Right Hon. Duke of Rutland, G.C.B.
President of the Board of Agriculture	Right Hon. Henry Chaplin.
President of the Board of Trade	Right Hon. Sir M. E. Hicks Beach, Bart.
President of the Local Government Board	Right Hon. Charles Thomson Ritchie.

NOT IN THE CABINET.

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Secretary for Scotland and Vice President of the Scotch Education Department	Right Hon. Marquess of Lothian, K.T.
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Lords of the Admiralty	Vice Admiral Sir R. V. Hamilton, K.C.B., Vice Admiral J. O. Hopkins, Captain F. G. D. Bedford, C.B., Vice Admiral H. Fairfax, C.B., Ellis Ashmead-Bartlett, Esq.
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Secretary to the Admiralty	Arthur Bower Forwood, Esq.
Secretary to the Board of Trade	Right Hon. Lord Balfour of Burleigh.
Secretary to the Local Government Board	Walter H. Long, Esq.
Under Secretary, Home Department	Charles Beilby Stuart Wortley, Esq.
Under Secretary, Foreign Department	Right Hon. Sir James Fergusson, Bart., G.C.S.I.
Under Secretary for Colonies	Right Hon. Baron Henry de Worms.
Under Secretary for War	Right Hon. Earl Brownlow.
Under Secretary for India	Right Hon. Sir John Eldon Gorst, Q.C.
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Postmaster General	Right Hon. Henry Cecil Raikes.
Financial Secretary to the War Department	Hon. W. St. John Brodrick.
Judge Advocate General	Right Hon. Sir William Thackeray Marriott, Kt.
Attorney General	Sir Richard Everard Webster, Q.C.
Solicitor General	Sir Edward George Clarke, Q.C.

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Lord Advocate	Right Hon. James Patrick Bannerman Robertson
Solicitor General	Sir Charles John Pearson, Kt.

IRELAND.

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Lord Chancellor	Right Hon. Lord Ashbourne.
Attorney General	Right Hon. Dodgson Hamilton Madden.
Solicitor General	J. Atkinson, Esq.

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Lord Chamberlain	Right Hon. Earl of Lathom.
Master of the Horse	His Grace the Duke of Portland.
Treasurer of the Household	Right Hon. Earl of Radnor.
Comptroller of the Household	Right Hon. Lord Arthur Hill.
Vice Chamberlain of the Household	Right Hon. Viscount Lewisham.
Captain of the Corps of Gentlemen at Arms	Right Hon. Earl of Yarborough.
Captain of the Yeomen of the Guard	Right Hon. Earl of Limerick.
Master of the Buckhounds	Right Hon. Earl of Coventry.
Chief Equerry and Clerk Marshal	Colonel Sir G. A. Maude, K.C.B.
Mistress of the Robes	Her Grace the Duchess of Buccleuch.

ROLL OF THE

LORDS SPIRITUAL AND TEMPORAL

IN

THE SIXTH SESSION OF THE TWENTY-FOURTH PARLIAMENT

OF

THE UNITED KINGDOM OF GREAT BRITAIN AND IRELAND.

54° VICTORIÆ, 1891.

Mem.—*According to the Usage of Parliament, when the House appoints a Select Committee, the Lords appointed to serve upon it are named in the Order of their Rank, beginning with the Highest; and so, when the House sends a Committee to a Conference with the Commons, the Lord highest in Rank is called first, and the rest go forth in like Order: But when the Whole House is called over for any Purpose within the House, or for the Purpose of proceeding forth to Westminster Hall, or upon any public Solemnity, the Call begins invariably with the Junior Baron.*

His Royal Highness The Prince of Wales.

His Royal Highness Alfred Ernest Albert Duke of Edinburgh.

His Royal Highness Arthur William Patrick Albert Duke of Connaught and Strathearn.

His Royal Highness Albert Victor Christian Edward Duke of Clarence and Avondale

His Royal Highness Leopold Charles Edward George Albert Duke of Albany.

His Royal Highness George William Frederick Charles Duke of Cambridge.

Edward White Archbishop of Canterbury.

Hardinge Stanley Lord Halsbury, *Lord High Chancellor.*

William Archbishop of York.

Gathorne Viscount Cranbrook, *Lord President of the Council.*

George Henry Earl Cadogan, *Lord Privy Seal.*

Henry Duke of Norfolk, *Earl Marshal of England.*
Archibald Henry Algernon Duke of Somerset.
Charles Henry Duke of Richmond.
Augustus Charles Lennox Duke of Grafton.
Henry Charles Fitzroy Duke of Beaufort.
William Amelius Aubrey de Vere Duke of Saint Albans.
George Godolphin Duke of Leeds.
Francis Charles Hastings Duke of Bedford.
William Duke of Devonshire.
George Charles Duke of Marlborough.
John James Robert Duke of Rutland.
William Alexander Louis Stephen Duke of Brandon. (*Duke of Hamilton.*)
William John Arthur Charles James Duke of Portland.
George Victor Drogo Duke of Manchester.
Henry Pelham Archibald Douglas Duke of Newcastle.
Algernon George Duke of Northumberland.
His Royal Highness Ernest Augustus William Adolphus George Frederick Duke of Cumberland and Teviotdale.
Henry Duke of Wellington.
George Granville William Duke of Sutherland.
Harry George Duke of Cleveland.
Hugh Lupus Duke of Westminster.
Alexander William George Duke of Fife.

Augustus John Henry Beaumont Marquess of Winchester.
Henry Charles Keith Marquess of Lansdowne.
John Villiers Stuart Marquess Townshend.
Robert Arthur Talbot Marquess of Salisbury.
John Alexander Marquess of Bath.
James Marquess of Abercorn. (*Duke of Abercorn.*)
Hugh de Grey Marquess of Hertford.
John Patrick Marquess of Bute.
William Alleyne Marquess of Exeter.
William Marquess of Northampton.
John Charles Marquess Camden.
Henry Marquess of Anglesey.
George Henry Hugh Marquess of Cholmondeley.
George William Thomas Marquess of Ailesbury.
Frederick William John Marquess of Bristol.
Archibald Marquess of Ailsa.
Constantine Charles Henry Marquess of Normanby.
George Frederick Samuel Marquess of Ripon.
William Marquess of Abergavenny.
Gavin Marquess of Breadalbane.
Frederick Temple Marquess of Dufferin and Ava.

William Henry Earl of Mount Edgcumbe, *Lord Steward of the Household.*
Edward Earl of Lathom, *Lord Chamberlain of the Household.*
Charles Henry John Earl of Shrewsbury.
Edward Henry Earl of Derby.
Warner Francis John Plantagenet Earl of Huntingdon.
George Robert Charles Earl of Pembroke and Montgomery.
Edward Baldwin Earl of Devon.
Henry Charles Earl of Suffolk and Berkshire.
Rudolph William Basil Earl of Denbigh.
Francis William Henry Earl of Westmorland.
Montague Earl of Lindsey.
——— Earl of Stamford.
Murray Edward Gordon Earl of Winchilsea and Nottingham.
Edwyn Francis Earl of Chesterfield.
Edward George Henry Earl of Sandwich.
Arthur Algernon Earl of Essex.
George James Earl of Carlisle.
William Henry Walter Earl of Doncaster. (*Duke of Buccleuch and Queensberry.*)
Anthony Earl of Shaftesbury.
——— Earl of Berkeley.
Montagu Arthur Earl of Abingdon.
Aldred Frederick George Beresford Earl of Scarbrough.
George Thomas Earl of Albemarle.

George William Earl of Coventry.

Victor Albert George Earl of Jersey.

William Henry Earl Poulett.

John Francis Erskine Earl of Mar. (*Elected for Scotland.*)

Sholto George Watson Earl of Morton. (*Elected for Scotland.*)

Claude Earl of Strathmore and Kinghorn. (*Elected for Scotland.*)

George Earl of Haddington. (*Elected for Scotland.*)

Frederick Henry Earl of Lauderdale (*Elected for Scotland.*)

John Trotter Earl of Lindsay. (*Elected for Scotland.*)

David Stanley William Earl of Airlie. (*Elected for Scotland.*)

George John Earl of Northesk. (*Elected for Scotland.*)

Douglas Mackinnon Baillie Hamilton Earl of Dundonald. (*Elected for Scotland.*)

Sewallis Edward Earl Ferrers.

William Walter Earl of Dartmouth

Charles Earl of Tankerville.

Charles Wightwick Earl of Aylesford.

Francis Thomas De Grey Earl Cowper.

Arthur Philip Earl Stanhope.

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Sidney Carr Earl of Buckinghamshire.

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John Poyntz Earl Spencer.

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William David Earl of Mansfield.

John James Hugh Henry Earl Strange. (*Duke of Athole.*)

William Henry Earl of Mount Edgcumbe. (*In another Place as Lord Steward of the Household.*)

Hugh Earl Fortescue.

George Edward Stanhope Molyneux Earl of Carnarvon.

George Henry Earl Cadogan. (*In another Place as Lord Privy Seal.*)

Edward James Earl of Malmesbury.

John Vansittart Danvers Earl of Lanesborough. (*Elected for Ireland.*)

Henry Ernest Newcomen Earl of Kingston. (*Elected for Ireland.*)

Dermot Robert Wyndham Earl of Mayo. (*Elected for Ireland.*)

Hugh Earl Annesley. (*Elected for Ireland.*)

Cecil Ralph Earl of Wicklow. (*Elected for Ireland.*

John Henry Reginald Earl of Clonmell. (*Elected for Ireland.*)

George Earl of Lucan. (*Elected for Ireland.*)

Somerset Richard Earl of Belmore. (*Elected for Ireland.*)

James Francis Earl of Bandon. (*Elected for Ireland.*)

James Earl of Caledon. (*Elected for Ireland.*)

James Francis Harry Earl of Rosslyn.

William George Robert Earl of Craven.

William Hillier Earl of Onslow.

Charles Earl of Romney.

Walter John Earl of Chichester.

Seymour John Grey Earl of Wilton.

Edward James Earl of Powis.

Horatio Earl Nelson.

Lawrence Earl of Rosse. (*Elected for Ireland.*)

Sydney William Herbert Earl Manvers.

Horatio Earl of Orford.

Henry Earl Grey.

Hugh Cecil Earl of Lonsdale.

Dudley Francis Stuart Earl of Harrowby.

Henry Thynne Earl of Harewood.

William Hugh Earl of Minto.

Alan Frederick Earl Cathcart.

James Walter Earl of Verulam.

Adelbert Wellington Brownlow Earl Brownlow.

Henry Cornwallis Earl of St. Germans.

Albert Edmund Earl of Morley.

Orlando George Charles Earl of Bradford.

Frederick Earl Beauchamp.

John Earl of Eldon.

Richard William Penn Earl Howe.

George Edward John Mowbray Earl of Stradbroke.

William Stephen Earl Temple of Stowe.

Francis Charles Earl of Kilmorey. (*Elected for Ireland.*)

Charles Stewart Earl Vane. (*Marquess of Londonderry.*)

William Archer Earl Amherst.

John Frederick Vaughan Earl Cawdor.

William George Earl of Munster.

Robert Adam Philips Haldane Earl of Camperdown.

Thomas George Earl of Lichfield.

John George Earl of Durham.

Granville George Earl Granville.

Henry Earl of Effingham.

Henry John Earl of Ducie.

Charles Alfred Worsley Earl of Yarborough.

James Henry Robert Earl Innes. (*Duke of Roxburghe.*)

Thomas William Earl of Leicester.

William Earl of Lovelace.

Lawrence Earl of Zetland.

Charles William Francis Earl of Gainsborough.

Francis Charles Granville Earl of Ellesmere.

George Henry Charles Earl of Strafford.

Kenelm Charles Edward Earl of Cottenham.

William Henry Earl Cowley.

Archibald William Earl of Winton. (*Earl of Eglintoun.*)

William Humble Earl of Dudley.

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Francis Earl of Cromartie.

John Earl of Kimberley.

Richard Earl of Dartrey.

William Ernest Earl of Feversham.

Henry George Earl of Ravensworth.

Edward Montagu Stuart Granville Earl of Wharncliffe.

Thomas George Earl of Northbrook.

Herbert John Earl Cairns.

Edward Robert Lytton Earl of Lytton.

Edward Earl of Lathom. (*In another Place as Lord Chamberlain of the Household.*)

George Watson Earl Sondes.

Roundell Earl of Selborne.

Walter Stafford Earl of Iddesleigh.

Cornwallis Earl de Montalt.

William Henry Forester Earl of Londesborough.

Robert Viscount Hereford.

James David Viscount Strathallan. (*Elected for Scotland.*)

Henry Viscount Bolingbroke and St. John.

Evelyn Edward Thomas Viscount Falmouth.

George Master Viscount Torrington.

Gerald Viscount Leinster. (*Duke of Leinster.*)

Francis Wheler Viscount Hood.

Mervyn Edward Viscount Powerscourt. (*Elected for Ireland.*)

Henry William Crosbie Viscount Bangor. (*Elected for Ireland.*)

Cornwallis Viscount Hawarden. (*Elected for Ireland.*) (*In another Place as Earl de Montalt.*)

Carnegie Parker Viscount St. Vincent.

Henry Viscount Melville.

William Wells Viscount Sidmouth.

John Campbell Viscount Gordon. (*Earl of Aberdeen.*)

Edward Fleetwood John Viscount Exmouth.

John Luke George Viscount Hutchinson. (*Earl of Donoughmore.*)

Richard Somerset Viscount Clancarty. (*Earl of Clancarty.*)

Wellington Henry Viscount Combermere.

Henry Charles Viscount Canterbury.

Rowland Clegg Viscount Hill.

Charles Stewart Viscount Hardinge.

George Stephens Viscount Gough.

Charles Lindley Viscount Halifax.

Alexander Nelson Viscount Bridport.

William Henry Berkeley Viscount Portman

Gathorne Viscount Cranbrook. (*In another Place as Lord President of the Council.*)

Robert Viscount Sherbrooke.

Henry Bouverie William Viscount Hampden.

Garnet Joseph Viscount Wolseley.

William John Viscount Oxenbridge.

Richard Assheton Viscount Cross.

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Brooke Foss Bishop of Durham.

Edward Harold Bishop of Winchester.

John Thomas Bishop of Norwich.

Charles John Bishop of Gloucester and Bristol.

James Bishop of Hereford.

William Connor Bishop of Peterborough.

Harvey Bishop of Carlisle.

Arthur Charles Bishop of Bath and Wells.

Richard Bishop of Chichester.

William Basil Bishop of St. David's.

Anthony Wilson Bishop of Rochester.

William Dalrymple Bishop of Lichfield.

John Charles Bishop of Liverpool.

Ernest Roland Bishop of Newcastle.

Richard Bishop of Llandaff.

George Howard Bishop of Truro.

William Bishop of Oxford.

George Bishop of Southwell

William Boyd Bishop of Ripon.

Edward Bishop of Lincoln.

Edward Henry Bishop of Exeter.

John Bishop of Salisbury.

Alwyne Bishop of Ely.

Henry Thurstan Lord Knutsford. (*One of Her Majesty's Principal Secretaries of State.*)

Dudley Charles Lord de Ros.

Alfred Joseph Lord Mowbray.

George Manners Lord Hastings.

Edward Southwell Lord de Clifford.

Gilbert Henry Lord Willoughby de Eresby

Charles Henry Rolle Lord Clinton.

Robert Nathaniel Cecil George Lord Zouche of Haryngworth.

Rawdon George Grey Lord Grey de Ruthyn.

Charles Edward Hastings Lord Botreaux. (*Earl of Loudoun.*)

Francis Robert Lord Camoys.

Henry Lord Beaumont.

Henry Lord Willoughby de Broke.

Hubert George Charles Lord Vaux of Harrowden.

Ralph Gordon Lord Wentworth.

Alfred Thomas Townshend Lord Braye.

Robert George Lord Windsor.

William Henry John Lord North.

Beauchamp Mowbray Lord St. John of Bletso.

Frederick George Lord Howard de Walden.

William Joseph Lord Petre.

John Fiennes Lord Saye and Sele.

John Francis Lord Arundell of Wardour.

John Stuart Lord Clifton. (*Earl of Darnley.*)

John Baptist Joseph Lord Dormer.

Henry George Lord Teynham.

Augustus Frederick Fitz-herbert Lord Stafford.

George Frederick William Lord Byron.

Lewis Henry Hugh Lord Clifford of Chudleigh.

William Coutts Lord Ashford.

Horace Courtenay Gammell Lord Forbes. (*Elected for Scotland.*)

Alexander William Frederick Lord Saltoun. (*Elected for Scotland.*)

Charles William Lord Sinclair. (*Elected for Scotland.*)

Charles Lord Blantyre. (*Elected for Scotland.*)

Alexander Hugh Lord Balfour of Burley. (*Elected for Scotland.*)

Walter Hugh Lord Polwarth. (*Elected for Scotland.*)

Richard Edmund Saint Lawrence Lord Boyle. (*Earl of Cork and Orrery.*)

George Lord Hay. (*Earl of Kinnoul.*)

Digby Wentworth Bayard Lord Middleton.

Frederick George Brabazon Lord Ponsonby. (*Earl of Bessborough.*)

Alfred Nathaniel Holden Lord Scarsdale.

George Florance Lord Boston.

Charles George Lord Lovell and Holland. (*Earl of Egmont.*)

George William Henry Lord Vernon.

Edward Henry Trafalgar Lord Digby.

George Douglas Lord Sundridge. (*Duke of Argyll.*)

Martin Bladen Lord Hawke.

Henry Thomas Lord Foley.

Arthur de Cardonnel Lord Dinevor.

Thomas Lord Walsingham.

William Lord Bagot.

Charles Henry Lord Southampton.

John Richard Brinsley Lord Grantley.

George Bridges Harley Dennett Lord Rodney.

Henry George Lord Lovaine.

Philip Reginald Lord Somers.

Richard Henry Lord Berwick.

Edward Lennox Lord Sherborne.

John Henry De La Poer Lord Tyrone. (*Marquess of Waterford.*)

Richard Henry Lord Carleton. (*Earl of Shannon.*)

Charles Lord Suffield.

Dudley Wilmot Lord Dorchester.

Lloyd Lord Kenyon.

Charles Cornwallis Lord Braybrooke.

George Augustus Hamilton Lord Fisherwick. (*Marquess of Donegall.*)

Henry Charles Lord Gage. (*Viscount Gage.*)

Thomas John Lord Thurlow.

William Morton Lord Auckland.

Charles George Lord Lyttelton.

Henry George Lord Mendip. (*Viscount Clifden.*)

George Lord Stuart of Castle Stuart. (*Earl of Moray.*)

Alan Plantagenet Lord Stewart of Garlies. (*Earl of Galloway.*)

James George Henry Lord Saltersford. (*Earl of Courtown.*)

William Lord Brodrick. (*Viscount Midleton.*)

Frederick Henry William Lord Calthorpe.

Peter Robert Lord Gwydir.

Charles Robert Lord Carrington.

William Henry Lord Bolton.

Thomas Lyttleton Lord Lilford.

Thomas Lord Ribblesdale.

Edward Donough Lord Inchiquin. (*Elected for Ireland.*)

John Thomas William Lord Massy. (*Elected for Ireland.*)

Francis William Lord Kilmaine. (*Elected for Ireland.*)

Robert Lord Clonbrock. (*Elected for Ireland.*)

Charles Mark Lord Headley. (*Elected for Ireland.*)

Edward Henry Churchill Lord Crofton. (*Elected for Ireland.*)

Hercules Edward Lord Langford. (*Elected for Ireland.*)

Dayrolles Blakeney Lord Ventry. (*Elected for Ireland.*)

Eyre Challoner Henry Lord Clarina. (*Elected for Ireland.*)

Henry Francis Seymour Lord Moore. (*Marquess of Drogheda.*)

John Henry Lord Loftus. (*Marquess of Ely.*)

William Lord Carysfort. (*Earl of Carysfort.*)

George Ralph Lord Abercromby.

Charles Towry Hamilton Lord Ellenborough.

Augustus Frederick Arthur Lord Sandys.

Henry North Lord Sheffield. (*Earl of Sheffield.*)

William Macnaghten Lord Erskine.

George John Lord Monteagle. (*Marquess of Sligo.*)

Bernard Arthur William Patrick Hastings Lord Granard. (*Earl of Granard.*)

Hungerford Lord Crewe.

——— Lord Gardner.

John Thomas Lord Manners.

John Adrian Louis Lord Hopetoun. (*Earl of Hopetoun.*)

Richard Lord Castlemaine. (*Elected for Ireland.*)

Charles Lord Meldrum. (*Marquess of Huntly.*)

Lowry Egerton Lord Grinstead. (*Earl of Enniskillen.*)

William Hale John Charles Lord Foxford. (*Earl of Limerick.*)

Victor Albert Francis Charles Lord Churchill.

George Robert Canning Lord Harris.

Reginald Charles Edward Lord Colchester.

Schomberg Henry Lord Ker. (*Marquess of Lothian.*)

Henry Francis Lord Minster. (*Marquess Conyngham.*)

James Edward William Theobald Lord Ormonde. (*Marquess of Ormonde.*)

Francis Richard Lord Wemyss. (*Earl of Wemyss.*)

John Strange Lord Clanbrassill. (*Earl of Roden.*)

Thomas Lord Silchester. (*Earl of Longford.*)

Clotworthy John Eyre Lord Oriel. (*Viscount Massereene.*)

Hugh Lord Delamere.

Orlando Watkin Weld Lord Forester.

John William Lord Rayleigh.

Edric Frederic Lord Gifford.

Hubert George Lord Somerhill. (*Marquess of Clanricarde.*)

James Ludovic Lord Wigan. (*Earl of Crawford and Balcarres.*)

Uchter John Mark Lord Ranfurly. (*Earl of Ranfurly.*)

John Byrne Leicester Lord De Tabley.

Charles Stuart Henry Lord Tenterden.

William Conyngham Lord Plunket.

William Henry Ashe Lord Heytesbury.

Archibald Philip Lord Rosebery. (*Earl of Rosebery.*)

Richard James Lord Clanwilliam. (*Earl of Clanwilliam.*)

William Draper Mortimer Lord Wynford.

William Henry Lord Kilmarnock. (*Earl of Erroll.*)

Arthur James Francis Lord Fingall. (*Earl of Fingall.*)

William Philip Lord Sefton. (*Earl of Sefton.*)

Robert Bermingham Lord Clements. (*Earl of Leitrim.*)

Thomas Lord Kenlis. (*Marquess of Headfort.*)

Reginald Lord Chaworth. (*Earl of Meath.*)

Charles Adolphus Lord Dunmore. (*Earl of Dunmore.*)

Augustus Frederick George Warwick Lord Poltimore.

Llewelyn Nevill Vaughan Lord Mostyn.

Henry Spencer Lord Templemore.

Valentine Frederick Lord Cloncurry.

John St. Vincent Lord De Saumarez.

Thomas Lord Denman.

William Frederick Lord Abinger.

Philip Lord De L'Isle and Dudley.

Francis Danzil Edward Lord Ashburton.

Edward George Percy Lord Hatherton.

Archibald Brabazon Sparrow Lord Worlingham. (*Earl of Gosford.*)

William Frederick Lord Stratheden.

Geoffrey Dominick Augustus Frederick Lord Oranmore and Browne. (*Elected for Ireland.*)

Simon Joseph Lord Lovat.

William Bateman Lord Bateman.

James Molyneux Lord Charlemont. (*Earl of Charlemont.*)

Algernon Hawkins Thomond Lord Kintore. (*Earl of Kintore.*)

George Ponsonby Lord Lismore. (*Viscount Lismore.*)

Derrick Warner William Lord Rossmore.

Robert Shapland George Julian Lord Carew.

Charles Frederick Ashley Cooper Lord De Mauley.

Arthur Lord Wrottesley.

Charles Douglas Richard Lord Sudeley.

Frederick Henry Paul Lord Methuen.

Henry Edward John Lord Stanley of Alderley.

William Henry Lord Leigh.

Beilby Lord Wenlock.

William Lord Lurgan.

Thomas Spring Lord Monteagle of Brandon.

John Reginald Upton Lord Seaton.

John Manley Arbuthnot Lord Keane.

John Lord Oxenfoord. (*Earl of Stair.*)

Hussey Crespigny Lord Vivian.

Henry William Lord Congleton.

Denis St. George Lord Dunsandle and Clanconal. (*Elected for Ireland.*)

Victor Alexander Lord Elgin. (*Earl of Elgin and Kincardine.*)

Charles Robert Claude Lord Truro.

Arthur Lord De Freyne.

Edward Burtenshaw Lord Saint Leonards.

George Fitz-Roy Henry Lord Raglan.

Valentine Augustus Lord Kenmare. (*Earl of Kenmare.*)

Henry Lord Belper.

Richard Wogan Lord Talbot de Malahide.

Robert Lord Ebury.

Charles Compton William Lord Chesham.

Frederic Augustus Lord Chelmsford.

John Lord Churston.

Henry Lord Leconfield.

Wilbraham Lord Egerton.

Godfrey Charles Lord Tredegar.

Fitz Patrick Henry Lord Lyveden.

Henry Charles Lord Brougham and Vaux.

Arthur Fitz-Gerald Lord Kinnaird.

Richard Luttrell Pilkington Lord Westbury.

Francis William Fitzhardinge Lord Fitzhardinge.

Luke Lord Annaly.

Robert Offley Ashburton Lord Houghton.

William Lord Romilly.

James Herbert Gustavus Meredyth Lord Meredyth. (*Lord Athlumney.*)

Windham Thomas Lord Kenry. (*Earl of Dunraven and Mount-Earl.*)

Charles Stanley Lord Monck. (*Viscount Monck.*)

John Major Lord Hartismere. (*Lord Henniker.*)

Hedworth Hylton Lord Hylton.

George Sholto Gordon Lord Penrhyn.

Gustavus Russell Lord Brancepeth. (*Viscount Boyne.*)

John Henry Lord Kesteven.

Arthur Lord Ormathwaite.

Edward Lord O'Neill.

Robert William Lord Napier.

Jenico William Joseph Lord Gormanston. (*Viscount Gormanston.*)

Thomas Kane Lord Rathdonnell. (*Elected for Ireland.*)

John Hamilton Lord Lawrence.

James Plaisted Lord Penzance.

John Lord Dunning. (*Lord Rollo.*)

James Lord Balinhard. (*Earl of Southesk.*)

William Lord Hare. (*Earl of Listowel.*)

Francis Edward Lord Howard of Glossop.

Bernard Edward Barnaby Lord Castletown.

John Emerich Edward Lord Acton.

Thomas Charles Lord Robartes.

Frederick Lord Wolverton.

Algernon William Fulke Lord Greville.

Thomas Towneley Lord O'Hagan.

William Lord Sandhurst.

Francis Lord Ettrick. (*Lord Napier.*)

James Charles Herbert Welbore Ellis Lord Somerton. (*Earl of Normanton.*)

Henry Austin Lord Aberdare.

James Lord Moncreiff.

John Duke Lord Coleridge.

William Lord Emly.

Chichester Samuel Lord Carlingford. (*Lord Clermont.*)

Thomas Francis Lord Cottesloe.

John Slaney Lord Hampton.

John Lord Winmarleigh.

Charles Alexander Lord Douglas. (*Earl of Home.*)

Arthur George Maule Lord Ramsay. (*Earl of Dalhousie.*)

John Henry Lord Fermanagh. (*Earl Erne.*)

William Richard Lord Harlech.

Henry Gerard Lord Alington.

John Lord Tollemache.

William Cansfield Lord Gerard.

Lionel Sackville Lord Sackville.

Colin Lord Blackburn.

Charles Bowyer Lord Norton.

Percy Lord Shute. (*Viscount Barrington.*)

William Lord Watson. (*A Lord of Appeal in Ordinary.*)

Lawrence Hesketh Lord Haldon.

Ivor Bertie Lord Wimborne.

Arthur Edward Lord Ardilaun.

Charles Wallace Alexander Napier Lord Lamington.

Charles Frederick Lord Donington.

Arthur Edwin Lord Trevor.

Montagu William Lord Rowton.

Edward Hugessen Lord Brabourne.

Arthur Oliver Villiers Lord Ampthill.

William Montagu Lord Tweeddale. (*Marquess of Tweeddale.*)

William Ulick Tristram Lord Howth. (*Earl of Howth.*)
Donald James Lord Reay.
Harcourt Lord Derwent.
Henry James Lord Hothfield.
Dudley Coutts Lord Tweedmouth.
George William Wilshere Lord Bramwell.
Frederick Beauchamp Paget Lord Alcester.
Alfred Lord Tennyson.
James Lord Strathspey. (*Earl of Seafield.*)
John George Lord Monk Bretton.
Walter Charles Lord Northbourne.
Arthur Saunders William Charles Fox Lord Sudley. (*Earl of Arran.*)
John Robert William Lord de Vesci. (*Viscount de Vesci.*)
Marmaduke Francis Lord Herries.
Hardinge Stanley Lord Halsbury. (*In another Place as Lord High Chancellor.*)
Mervyn Edward Lord Powerscourt (*In another Place as Viscount Powerscourt.*)
Anthony Henley Lord Northington (*Lord Henley.*)
Nathaniel Mayer Lord Rothschild.
Edward Charles Lord Revelstoke.
Robert Lord Monkswell.
Arthur Lord Hobhouse.
Ralph Robert Wheeler Lord Lingen.
Edward Lord Ashbourne.
Rowland Lord Saint Oswald.
Robert James Lord Wantage.
William Baliol Lord Esher.
Thomas Lord Deramore.
Henry John Lord Montagu of Beaulieu.
William Buller Fullerton Lord Elphinstone.
Charles John Lord Colville of Culross.
Farrer Lord Herschell.
Charles Henry Lord Hillingdon
Samuel Charles Lord Hindlip.
Edmund Lord Grimthorpe.
Richard de Aquila Lord Stalbridge.
William Lord Kensington.
Michael Arthur Lord Burton.
John Glencairn Carter Lord Hamilton of Dalzell.
Thomas Lord Brassey.
Henry Lord Thring.
Frederick Arthur Lord Stanley of Preston.
Edward Lord Macnaghten. (*A Lord of Appeal in Ordinary.*)
Robert Lord Connemara.
Claude Lord Bowes (*In another place as Earl of Strathmore and Kinghorn.*)
George Edmund Milnes Lord Monckton (*Viscount Galway.*)
John Lord Saint Levan.
James Douglas Lord Magheramorne.
William George Lord Armstrong.
George Lord Basing.
William Henry Lord De Ramsey.
Henry William Lord Cheylesmore.
Egerton Lord Addington.
Henry Thurston Lord Knutsford. (*In another Place as one of Her Majesty's Principal Secretaries of State.*)
John Lord Savile.
Michael Lord Morris. (*A Lord of Appeal in Ordinary.*)
William Ventris Lord Field.

LIST OF THE COMMONS.

THE NAMES OF MEMBERS

Returned to serve in the Twenty-fourth Parliament of the United Kingdom of Great Britain and Ireland, summoned to meet at Westminster the Fifth Day of August, One Thousand Eight Hundred and Eighty Six, as by the several Returns filed in the Office of the Clerk of the Crown in Chancery appears. Corrected to the Meeting of the Parliament on the 25th November, 1890.

BEDFORD.

Northern, or Biggleswade Division,
Viscount Baring.

Southern, or Luton Division,
Cyril Flower.

BEDFORD BOROUGH.
Samuel Whitbread.

BERKS.

Northern, or Abingdon Division,
Philip Wroughton.

Southern, or Newbury Division,
William George Mount.

Eastern, or Wokingham Division,
Sir George Russell, bt.

READING BOROUGH.
Charles Townshend Murdoch.

WINDSOR (NEW) BOROUGH.
Francis Tress Barry.

BUCKS.

Northern, or Buckingham Division,
Captain Edmund H. Verney, R.N.

Mid, or Aylesbury Division,
Baron Ferdinand James de Rothschild.

Southern, or Wycombe Division,
Viscount Curzon.

CAMBRIDGE.

Northern, or Wisbech Division,
Captain Charles William Selwyn.

Western, or Chesterton Division,
Sir Charles Hall, K.C.M.G.

Eastern, or Newmarket Division,
George Newnes.

CAMBRIDGE UNIVERSITY.
Rt. Hon. Henry Cecil Raikes, M.A.
Sir George Gabriel Stokes, bt.

CAMBRIDGE BOROUGH.
Robert Uniacke Penrose Fitzgerald.

CHESTER.

Wirral Division,
Lieut.-Col. Edward Thomas Davenant Cotton-Jodrell.

Eddisbury Division,
Henry James Tollemache.

Macclesfield Division,
William Bromley Davenport.

Crewe Division,
Walter Stowe Bright McLaren.

Northwich Division,
John Tomlinson Brunner.

Altrincham Division,
Sir William Cunliffe Brooks, bt.

CHESTER—*cont.*

HYDE DIVISION,
Joseph Watson Sidebotham.

KNUTSFORD DIVISION,
Hon. Alan de Tatton Egerton.

BIRKENHEAD BOROUGH.
Lieut.-General Sir Edward Bruce Hamley, K.C B.

CHESTER BOROUGH.
Robert Armstrong Yerburgh.

STOCKPORT BOROUGH.
Louis John Jennings,
Sydney Gedge.

CORNWALL.

WESTERN, OR ST. IVES DIVISION,
Thomas Bedford Bolitho.

NORTH-WESTERN, OR CAMBORNE DIVISION,
Charles Augustus Vansittart Conybeare.

TRURO DIVISION,
William Bickford Smith.

MID, OR ST. AUSTELL DIVISION,
William Alexander M'Arthur.

SOUTH-EASTERN, OR BODMIN DIVISION,
Rt. Hon. Leonard Henry Courtney.

NORTH-EASTERN, OR LAUNCESTON DIVISION,
Charles Thomas Dyke Acland.

PENRYN AND FALMOUTH BOROUGH.
William George Cavendish Bentinck.

CUMBERLAND

NORTHERN, OR ESKDALE DIVISION,
Robert Andrew Allison.

MID, OR PENRITH DIVISION,
James William Lowther.

COCKERMOUTH DIVISION,
Sir Wilfrid Lawson, bt.

WESTERN, OR EGREMONT DIVISION,
Lord Muncaster.

CARLISLE BOROUGH.
William Court Gully.

WHITEHAVEN BOROUGH.
Rt. Hon. George Augustus Cavendish Bentinck.

DERBY.

HIGH PEAK DIVISION,
William Sidebottom.

NORTH-EASTERN DIVISION,
Thomas Dolling Bolton.

CHESTERFIELD DIVISION,
Alfred Barnes.

WESTERN DIVISION,
Lord Edward Cavendish.

MID DIVISION,
James Alfred Jacoby.

ILKESTON DIVISION,
Sir Balthazar Walter Foster.

SOUTHERN DIVISION,
Henry Wardle.

DERBY BOROUGH.
Thomas Roe,
Rt. Hon. Sir William George Granville Venables Vernon Harcourt, kt.

DEVON.

EASTERN, OR HONITON DIVISION,
Sir John Henry Kennaway, bt.

NORTH-EASTERN, OR TIVERTON DIVISION,
Col. Sir William Hood Walrond, bt.

NORTHERN, OR SOUTH MOLTON DIVISION,
Viscount Lymington.

NORTH-WESTERN, OR BARNSTAPLE DIVISION,
George Pitt Lewis.

WESTERN, OR TAVISTOCK DIVISION,
Viscount Ebrington.

SOUTHERN, OR TOTNES DIVISION,
Francis Bingham Mildmay.

TORQUAY DIVISION,
Richard Mallock.

MID, OR ASHBURTON DIVISION,
Charles Seale-Hayne.

DEVONPORT BOROUGH.
Sir John Henry Puleston, kt.
Captain George Edward Price.

EXETER BOROUGH.
Hon. Sir Stafford Northcote, bt., C.B.

PLYMOUTH BOROUGH.
Sir Edward Bates, bt.
Sir Edward George Clarke, kt.

DORSET.

NORTHERN DIVISION,
Hon. Edwin Berkeley Portman.

EASTERN DIVISION,
George Hawkesworth Bond.

SOUTHERN DIVISION,
Lieut.-Col. Charles Joseph Theophilus Hambro.

WESTERN DIVISION,
Henry Richard Farquharson.

DURHAM.

JARROW DIVISION,
Sir Charles Mark Palmer, bt.

HOUGHTON-LE-SPRING DIVISION,
Nicholas Wood.

CHESTER-LE-STREET DIVISION,
James Joicey.

NORTH-WESTERN DIVISION,
Llewellyn Archer Atherley-Jones.

MID DIVISION,
John Wilson.

SOUTH-EASTERN DIVISION,
Lieut.-General Sir Henry Marshman Havelock-Allan, bt., V.C., K.C.B.

BISHOP AUCKLAND DIVISION,
James Mellor Paulton.

BARNARD CASTLE DIVISION,
Sir Joseph Whitwell Pease, bt.

DARLINGTON BOROUGH.
Theodore Fry.

DURHAM BOROUGH.
Thomas Milvain.

GATESHEAD BOROUGH.
Hon. Walter Henry James.

HARTLEPOOLS (THE) BOROUGH.
Thomas Richardson.

SOUTH SHIELDS BOROUGH.
James Cochran Stevenson.

STOCKTON BOROUGH.
Sir Horace Davey, kt.

SUNDERLAND BOROUGH.
Samuel Storey,
Edward Temperley Gourley.

ESSEX.

SOUTH-WESTERN, OR WALTHAMSTOW DIVISION,
Colonel William Thomas Makins.

ESSEX—*cont.*

SOUTHERN, OR ROMFORD DIVISION,
James Theobald.

WESTERN, OR EPPING DIVISION,
Right Hon. Sir Henry John Selwin-Ibbetson, bt.

NORTHERN, OR SAFFRON WALDEN DIVISION,
Herbert Colstoun Gardner.

NORTH-EASTERN, OR HARWICH DIVISION,
James Round.

EASTERN, OR MALDON DIVISION,
Charles Wing Gray.

MID, OR CHELMSFORD DIVISION,
William James Beadel.

SOUTH-EASTERN DIVISION,
Major Frederick Carne Rasch.

COLCHESTER BOROUGH.
Lord Brooke

WEST HAM BOROUGH.
North Division,
James Forrest Fulton.
South Division,
Major George Edward Banes.

GLOUCESTER.

MID, OR STROUD DIVISION,
George Holloway.

NORTHERN, OR TEWKESBURY DIVISION,
Sir John Edward Dorington, bt.

EASTERN, OR CIRENCESTER DIVISION,
Arthur Brend Winterbotham.

FOREST OF DEAN DIVISION,
Godfrey Blundell Samuelson.

SOUTHERN, OR THORNBURY DIVISION,
Lord DUNSANY.

BRISTOL BOROUGH.
West Division,
Rt. hon. Sir Michael Edward Hicks Beach, bt.
North Division,
Lewis Fry.
East Division,
Sir Joseph Dodge Weston.
South Division,
Lt.-Col. Edward Stock Hill, C.B.

CHELTENHAM BOROUGH.
James Tynte Agg-Gardner.

GLOUCESTER BOROUGH.
Thomas Robinson.

HANTS.

NORTHERN, or BASINGSTOKE DIVISION,
Arthur Frederick Jeffreys.

WESTERN, or ANDOVER DIVISION,
William Wither Bramston Beach.

EASTERN, or PETERSFIELD DIVISION,
Viscount Wolmer.

SOUTHERN, or FAREHAM DIVISION,
General Sir Frederick Wellington John FitzWygram, bt.

NEW FOREST DIVISION,
Francis Compton.

CHRISTCHURCH BOROUGH.
Charles Edward Baring Young.

PORTSMOUTH BOROUGH.
Major.-Gen. Sir William Crossman, K.C.M.G.
Sir Samuel Wilson.

SOUTHAMPTON BOROUGH.
Alfred Giles.
Francis H. Evans.

WINCHESTER BOROUGH.
Richard Moss.

HEREFORD.

NORTHERN, or LEOMINSTER DIVISION,
James Rankin.

SOUTHERN, or ROSS DIVISION,
Michael Biddulph.

HEREFORD BOROUGH.
Sir Joseph Russell Bailey, bt.

HERTFORD.

NORTHERN, or HITCHIN DIVISION,
Robert Dimsdale (Baron of the Russian Empire).

EASTERN, or HERTFORD DIVISION,
Abel Smith.

MID, or ST. ALBAN'S DIVISION,
Viscount Grimston.

WESTERN, or WATFORD DIVISION,
Thomas Frederick Halsey.

HUNTINGDON.

SOUTHERN, or HUNTINGDON DIVISION,
Arthur Hugh Smith-Barry.

NORTHERN, or RAMSAY DIVISION,
Hon. Ailwyn Edward Fellowes.

ISLE OF WIGHT.

Sir Richard Everard Webster, kt.

KENT.

WESTERN, or SEVENOAKS DIVISION,
Hon. Charles William Mills.

NORTH-WESTERN, or DARTFORD DIVISION,
Rt. Hon. Sir William Hart Dyke, bt.

SOUTH-WESTERN, or TUNBRIDGE DIVISION,
Robert Norton.

MID, or MEDWAY DIVISION,
Hon. John Stewart Gathorne-Hardy.

NORTH-EASTERN, or FAVERSHAM DIVISION,
Herbert Thomas Knatchbull-Hugessen.

SOUTHERN, or ASHFORD DIVISION,
William Pomfret Pomfret.

EASTERN, or ST. AUGUSTINE'S DIVISION,
Aretas Akers-Douglas.

ISLE OF THANET DIVISION,
Rt. Hon. James Lowther

CANTERBURY BOROUGH.
John Henniker Heaton.

CHATHAM BOROUGH.
Rt. Hon. Sir John Eldon Gorst, kt.

DEPTFORD BOROUGH.
Charles John Darling.

DOVER BOROUGH.
George Wyndham.

GRAVESEND BOROUGH.
John Bazley White.

GREENWICH BOROUGH.
Thomas William Boord.

HYTHE BOROUGH.
Sir Edward William Watkin, bt.

LEWISHAM BOROUGH.
Rt. Hon. Viscount Lewisham.

MAIDSTONE BOROUGH.
F. S. Wykeham Cornwallis.

ROCHESTER BOROUGH.
Hon. Edward Knatchbull-Hugessen.

WOOLWICH BOROUGH.
Col. Edwin Hughes.

LANCASTER.

North Lancashire,

NORTH LONSDALE DIVISION,
William George Ainslie.

LANCASTER DIVISION,
James Williamson.

LANCASTER—*cont.*

BLACKPOOL DIVISION,

Sir Matthew White Ridley, bt.

CHORLEY DIVISION,

Lieut.-Gen. Randle Joseph Feilden, C.M.G.

North-East Lancashire,

DARWEN DIVISION,

Viscount Cranborne.

CLITHEROE DIVISION,

Rt. Hon. Sir Ughtred James Kay-Shuttleworth, bt.

ACCRINGTON DIVISION,

Robert Trotter Hermon-Hodge.

ROSSENDALE DIVISION,

Rt. Hon. Marquess of Hartington.

South-East Lancashire,

WESTHOUGHTON DIVISION,

Frank Hardcastle.

HEYWOOD DIVISION,

Isaac Hoyle.

MIDDLETON DIVISION,

Thomas Fielden.

RADCLIFFE-CUM-FARNWORTH DIVISION,

Robert Leake.

ECCLES DIVISION,

Henry John Roby.

STRETFORD DIVISION,

John William Maclure.

GORTON DIVISION,

William Mather.

PRESTWICH DIVISION,

Robert Gray Cornish Mowbray.

South-West Lancashire,

SOUTHPORT DIVISION,

Hon. George Nathaniel Curzon.

ORMSKIRK DIVISION,

Arthur Bower Forwood.

BOOTLE DIVISION,

Colonel Thomas Myles Sandys.

WIDNES DIVISION,

Tom Cottingham Edwards-Moss.

NEWTON DIVISION,

Thomas Wodehouse Legh.

INCE DIVISION,

Colonel Henry Blundell Hollinshead Blundell, C.B.

LEIGH DIVISION,

Caleb Wright.

ASHTON-UNDER-LYNE BOROUGH.

John Edmund Wentworth Addison.

LANCASTER—*cont.*

BARROW-IN-FURNESS BOROUGH.

James Archibald Duncan.

BLACKBURN BOROUGH.

William Coddington.
William Henry Hornby.

BOLTON BOROUGH.

Herbert Shepherd Cross.
Colonel Hon. Francis Charles Bridgeman.

BURNLEY BOROUGH.

J. Spencer Balfour.

BURY BOROUGH.

Right Hon. Sir Henry James, kt.

LIVERPOOL BOROUGH.

Kirkdale Division,

Sir George Smyth Baden-Powell, K.C.M.G.

Walton Division,

Miles Walker Mattinson.

Everton Division,

Edward Whitley.

West Derby Division,

Hon. William Henry Cross.

Scotland Division,

Thomas Power O'Connor.

Exchange Division,

Ralph Neville.

Abercromby Division,

William Frederick Lawrence.

East Toxteth Division,

Rt. Hon. Baron Henry de Worms.

West Toxteth Division,

Thomas Bland Royden.

MANCHESTER BOROUGH.

North-West Division,

Sir William Henry Houldsworth, bt.

North Division,

Charles Ernest Schwann.

North-East Division,

Right Hon. Sir James Fergusson, bt., G.C.S.I.

East Division,

Right Hon. Arthur James Balfour.

South Division,

Sir Henry Enfield Roscoe, kt.

South-West Division,

Jacob Bright.

OLDHAM BOROUGH.

James Mackenzie Maclean.
Elliott Lees.

LANCASTER—*cont.*

PRESTON BOROUGH.

William Edward Murray Tomlinson.
Robert William Hanbury.

ROCHDALE BOROUGH.

Thomas Bayley Potter.

SALFORD BOROUGH.

North Division,

Edward Hardcastle.

West Division,

Lees Knowles.

South Division,

Henry Hoyle Howorth.

ST. HELENS BOROUGH.

Henry Seton-Karr.

STALYBRIDGE BOROUGH.

Tom Harrop Sidebottom.

WARRINGTON BOROUGH.

Sir Gilbert Greenall, bt.

WIGAN BOROUGH.

Francis Sharp Powell.

LEICESTER.

EASTERN, or MELTON DIVISION,

Marquess of Granby.

MID, or LOUGHBOROUGH DIVISION,

Edwin Joseph Lisle March Phillipps de Lisle.

WESTERN, or BOSWORTH DIVISION,

James Ellis.

SOUTHERN, or HARBOROUGH DIVISION,

Thomas Keay Tapling.

LEICESTER BOROUGH.

James Allanson Picton.
Alexander M'Arthur.

LINCOLN.

WEST LINDSEY, or GAINSBORO' DIVISION,

Col. Henry Eyre.

NORTH LINDSEY, or BRIGG DIVISION,

Samuel Danks Waddy.

EAST LINDSEY, or LOUTH DIVISION,

Arthur Raymond Heath.

SOUTH LINDSEY, or HORNCASTLE DIVISION,

Right Hon. Edward Stanhope.

NORTH KESTEVEN, or SLEAFORD DIVISION,

Right Hon. Henry Chaplin.

LINCOLN—*cont.*

SOUTH KESTEVEN, or STAMFORD DIVISION,

Henry John Cockayne Cust.

HOLLAND, or SPALDING DIVISION,

Halley Stewart.

BOSTON BOROUGH.

Henry John Atkinson.

GRANTHAM BOROUGH.

Malcolm Low.

GREAT GRIMSBY BOROUGH.

Right Hon. Edward Heneage.

LINCOLN BOROUGH.

Frederick Harold Kerans.

MIDDLESEX.

ENFIELD DIVISION,

Captain Henry Ferryman Bowles.

TOTTENHAM DIVISION,

Joseph Howard.

HORNSEY DIVISION,

Henry Charles Stephens.

HARROW DIVISION,

William Ambrose.

EALING DIVISION,

Rt. Hon. Lord George Hamilton.

BRENTFORD DIVISION,

James Bigwood.

UXBRIDGE DIVISION,

Frederick Dixon Dixon-Hartland.

BETHNAL GREEN BOROUGH

North-East Division,

George Howell.

South-West Division,

Edward Hare Pickersgill.

CHELSEA BOROUGH.

Charles Algernon Whitmore.

FINSBURY BOROUGH.

Holborn Division,

Gainsford Bruce.

Central Division,

Captain Frederick Thomas Penton.

East Division,

James Rowlands.

FULHAM BOROUGH

William Hayes Fisher.

MIDDLESEX—*cont.*

HACKNEY BOROUGH.

North Division,

Major-Gen. Sir Lewis Pelly, K.C.B., K.C.S.I.

Central Division,

Surgeon-General Sir William Guyer Hunter, K.C.M.G.

South Division,

Sir Charles Russell, kt.

HAMMERSMITH BOROUGH.

Major-Gen. Walter Tuckfield Goldsworthy.

HAMPSTEAD BOROUGH.

Edward Brodie Hoare.

ISLINGTON BOROUGH.

North Division,

George Christopher Trout Bartley.

West Division,

Richard Chamberlain.

East Division,

Cowley Lambert.

South Division,

Sir Albert Kaye Rollit, kt.

KENSINGTON BOROUGH.

North Division,

Sir Roper Lethbridge, kt., K.C.I.E.

South Division,

Sir Algernon Borthwick, bt.

LONDON UNIVERSITY.

Rt. Hon. Sir John Lubbock, bt.

MARYLEBONE BOROUGH.

East Division,

Edmund Boulnois.

West Division,

Frederick Seager Hunt.

PADDINGTON BOROUGH.

North Division,

John Aird.

South Division,

Rt. Hon. Lord Randolph Henry Spencer Churchill.

ST. GEORGE'S, HANOVER SQUARE.

Rt. Hon. George Joachim Goschen.

ST. PANCRAS BOROUGH.

North Division,

Thomas Henry Bolton.

East Division,

Robert Grant Webster.

MIDDLESEX—St. Pancras Boro'—*cont.*

West Division,

Harry Lawson Webster Lawson.

South Division,

Sir Julian Goldsmid, bt.

SHOREDITCH BOROUGH.

Hoxton Division,

James Stuart.

Haggerston Division,

William Randal Cremer.

STRAND BOROUGH.

Right Hon. William Henry Smith.

TOWER HAMLETS BOROUGH.

Whitechapel Division,

Samuel Montagu.

St. George's Division.

Right Hon. Charles Thomson Ritchie.

Limehouse Division,

Edward Samuel Norris.

Mile End Division,

Spencer Charrington.

Stepney Division,

Frederick Wootton Isaacson.

Bow and Bromley Division,

Sir John Charles R. Colomb, K.C.M.G.

Poplar Division,

Sydney Charles Buxton.

WESTMINSTER BOROUGH.

William Lehmann Ashmead-Bartlett Burdett-Coutts.

LONDON CITY.

Sir Robert Nicholas Fowler, bt.
Thomas Charles Baring.

MONMOUTH.

NORTHERN DIVISION,

Thomas Phillips Price.

WESTERN DIVISION,

Cornelius Marshall Warmington.

SOUTHERN DIVISION,

Col. Hon. Frederick Courtenay Morgan.

MONMOUTH BOROUGH.

Sir George Elliot, bt.

NORFOLK.

NORTH-WESTERN DIVISION,

Lord Henry Bentinck.

NORFOLK—*cont.*

SOUTH-WESTERN DIVISION,
William Amhurst Tyssen Amherst.

NORTHERN DIVISION,
Herbert Hardy Cozens-Hardy.

EASTERN DIVISION,
Sir Edward Birkbeck, bt.

MID DIVISION,
Robert Thornhagh Gurdon.

SOUTHERN DIVISION,
Francis Taylor.

GREAT YARMOUTH BOROUGH.
Sir Henry Whatley Tyler, kt.

KING'S LYNN BOROUGH.
Alexander Weston Jarvis.

NORWICH BOROUGH.
Jeremiah James Colman.
Samuel Hoare.

NORTHAMPTON.

NORTHERN DIVISION,
Lord Burghley.

EASTERN DIVISION,
Francis Allston Channing.

MID DIVISION,
Hon. Charles Robert Spencer.

SOUTHERN DIVISION,
Sir Rainald Knightley, bt.

NORTHAMPTON BOROUGH.
Henry Labouchere.
Charles Bradlaugh.

PETERBOROUGH BOROUGH.
Alphœus Cleophas Morton.

NORTHUMBERLAND.

WANSBECK DIVISION,
Charles Fenwick.

TYNESIDE DIVISION,
Wentworth Blackett Beaumont.

HEXHAM DIVISION,
Miles MacInnes.

BERWICK-UPON-TWEED DIVISION,
Sir Edward Grey, bt.

MORPETH BOROUGH.
Thomas Burt.

NORTHUMBERLAND—*cont.*

NEWCASTLE-UPON-TYNE BOROUGH.
Right Hon. John Morley.
James Craig.

TYNEMOUTH BOROUGH.
Richard Sims Donkin.

NOTTINGHAM.

BASSETLAW DIVISION,
William Beckett.

NEWARK DIVISION,
Viscount Newark.

RUSHCLIFFE DIVISION,
John Edward Ellis.

MANSFIELD DIVISION,
Cecil George Savile Foljambe.

NOTTINGHAM BOROUGH.
West Division,
Henry Broadhurst.

East Division,
Arnold Morley.

South Division,
Henry Smith Wright.

OXFORD.

NORTHERN, or BANBURY DIVISION,
Sir Bernhard Samuelson, bt.

MID, or WOODSTOCK DIVISION,
Francis William Maclean.

SOUTHERN, or HENLEY DIVISION,
Hon. Francis Parker.

OXFORD UNIVERSITY.
Rt. Hon. Sir John Robert Mowbray, bt., D.C.L.
John Gilbert Talbot, D.C.L.

OXFORD BOROUGH.
Alexander William Hall.

RUTLAND.

George Henry Finch.

SALOP.

WESTERN, or OSWESTRY DIVISION,
Stanley Leighton.

NORTHERN, or NEWPORT DIVISION,
Col. William Slaney Kenyon-Slaney.

MID, or WELLINGTON DIVISION,
Alexander Hargreaves Brown.

SALOP—*cont.*

SOUTHERN, or LUDLOW DIVISION,
Robert Jasper More.

SHREWSBURY BOROUGH.
James Watson.

SOMERSET.

NORTHERN DIVISION,
Evan Henry Llewellyn.

WELLS DIVISION,
Colonel Sir Richard Horner Paget, bt.

FROME DIVISION,
Viscount Weymouth.

EASTERN DIVISION,
Henry Hobhouse.

SOUTHERN DIVISION,
Right Hon. Earl of Cavan.

BRIDGWATER DIVISION,
Edward James Stanley.

WESTERN, or WELLINGTON DIVISION,
Charles Isaac Elton.

BATH BOROUGH.
Edmond Robert Wodehouse,
Col. Robert Peter Laurie, C.B.

TAUNTON BOROUGH.
Hon. Alfred Percy Allsopp.

STAFFORD.

LEEK DIVISION,
Harry Tichborne Hinckes.

BURTON DIVISION,
Sydney Evershed.

WESTERN DIVISION,
Hamar Alfred Bass.

NORTH-WESTERN DIVISION,
Captain Justinian Heathcote Edwards-Heathcote.

LICHFIELD DIVISION,
Sir John Swinburne, bt.

KINGSWINFORD DIVISION,
Alexander Staveley Hill.

HANDSWORTH DIVISION,
Henry Wiggin.

HANLEY BOROUGH.
William Woodall.

NEWCASTLE-UNDER-LYME BOROUGH.
Douglas Harry Coghill.

STAFFORD—*cont.*

STAFFORD BOROUGH.
Thomas Salt.

STOKE-UPON-TRENT BOROUGH.
George Granville Leveson-Gower.

WALSALL BOROUGH.
Sir Charles Forster, bt.

WEDNESBURY BOROUGH.
Hon. Philip James Stanhope.

WEST BROMWICH BOROUGH.
James Ernest Spencer.

WOLVERHAMPTON BOROUGH.
West Division,
Sir William Chichele Plowden, K.C.S.I.
East Division,
Rt. Hon. Henry Hartley Fowler.
South Division,
Rt. Hon. Charles Pelham Villiers.

SUFFOLK.

NORTHERN, or LOWESTOFT DIVISION,
Sir Savile Brinton Crossley, bt.

NORTH-EASTERN, or EYE DIVISION,
Francis Seymour Stevenson.

NORTH-WESTERN, or STOWMARKET DIVISION,
Edward Greene.

SOUTH, or SUDBURY DIVISION,
William Cuthbert Quilter.

SOUTH-EASTERN, or WOODBRIDGE DIVISION,
Col. Robert Hamilton Lloyd Anstruther.

BURY ST. EDMUNDS BOROUGH.
Lord Francis Hervey.

IPSWICH BOROUGH.
Sir Charles Dalrymple, bt.
Lord Elcho.

SURREY.

NORTH-WESTERN, or CHERTSEY DIVISION,
Frederick Alers Hankey.

SOUTH-WESTERN, or GUILFORD DIVISION,
Hon. William St. John Fremantle Brodrick.

SOUTH-EASTERN, or REIGATE DIVISION,
Sir James John Trevor Lawrence, bt.

SURREY—*cont.*

MID, OR EPSOM DIVISION,

Rt. Hon. George Cubitt.

KINGSTON DIVISION,

Sir John Whittaker Ellis, bt.

NORTH-EASTERN, OR WIMBLEDON DIVISION,

Henry Cosmo Orme Bonsor.

BATTERSEA AND CLAPHAM BOROUGH.

Battersea Division,

Octavius Vaughan Morgan.

Clapham Division,

John Saunders Gilliat.

CAMBERWELL BOROUGH.

North Division,

John Richards Kelly.

Peckham Division,

Arthur Anthony Baumann.

Dulwich Division,

John Blundell Maple.

CROYDON BOROUGH.

Hon. Sidney Herbert.

LAMBETH BOROUGH.

North Division,

Lieut.-Gen. Charles Craufurd Fraser, V.C., C.B.

Kennington Division,

Mark Hanbury Beaufoy.

Brixton Division,

Marquess of Carmarthen.

Norwood Division,

Thomas Lynn Bristowe.

NEWINGTON BOROUGH.

West Division,

Charles Wallwyn Radcliffe Cooke.

Walworth Division,

Lewis Henry Isaacs.

SOUTHWARK BOROUGH.

West Division,

Richard Knight Causton.

Rotherhithe Division,

Colonel Charles Edward Hamilton.

Bermondsey Division,

Alfred Lafone.

WANDSWORTH BOROUGH.

Henry Kimber.

SUSSEX.

NORTH-WESTERN, OR HORSHAM DIVISION,

Colonel Sir Walter Barttelot Barttelot, bt., C.B.

SOUTH-WESTERN, OR CHICHESTER DIVISION,

Lord Walter C. Gordon Lennox.

NORTHERN, OR EAST GRINSTEAD DIVISION,

Hon. Alfred Erskine Gathorne-Hardy.

MID, OR LEWES DIVISION,

Sir Henry Fletcher, bt.

SOUTHERN, OR EASTBOURNE DIVISION,

Admiral Edward Field.

EASTERN, OR RYE DIVISION,

Arthur Montagu Brookfield.

BRIGHTON BOROUGH.

Rt. Hon. Sir William Thackeray Marriott, kt.

Gerald W. E. Loder.

HASTINGS BOROUGH.

Wilson Noble.

WARWICK.

NORTHERN, OR TAMWORTH DIVISION,

Philip Albert Muntz.

NORTH-EASTERN, OR NUNEATON DIVISION,

John Stratford Dugdale.

SOUTH-WESTERN, OR STRATFORD-ON-AVON DIVISION,

Frederick Townsend.

SOUTH-EASTERN, OR RUGBY DIVISION,

Henry Peyton Cobb.

ASTON MANOR BOROUGH.

George Kynoch.

BIRMINGHAM BOROUGH.

Edgbaston Division,

George Dixon.

West Division,

Rt. Hon. Joseph Chamberlain.

Central Division,

John Albert Bright.

North Division,

William Kenrick.

East Division,

Right Hon. Henry Matthews.

Bordesley Division,

Jesse Collings.

South Division,

Joseph Powell Williams.

WARWICK—*cont.*

COVENTRY BOROUGH.

William Henry Walter Ballantine.

WARWICK AND LEAMINGTON BOROUGH.

Rt. Hon. Arthur Wellesley Peel.

WESTMORELAND.

NORTHERN, or APPLEBY DIVISION,

Hon. William Lowther.

SOUTHERN, or KENDAL DIVISION,

Earl of Bective.

WILTS.

NORTHERN, or CRICKLADE DIVISION,

Mervyn Herbert Nevil Story-Maskelyne.

NORTH-WESTERN, or CHIPPENHAM DIVISION,

Lord Henry Bruce.

WESTERN, or WESTBURY DIVISION,

George Pargiter Fuller.

EASTERN, or DEVIZES DIVISION,

Walter Hume Long.

SOUTHERN, or WILTON DIVISION,

Sir Thomas Fraser Grove, bt.

SALISBURY BOROUGH.

Edward Henry Hulse.

WORCESTER.

WESTERN, or BEWDLEY DIVISION,

Sir Edmund Anthony Harley Lechmere, bt.

SOUTHERN, or EVESHAM DIVISION,

Sir Richard Temple, bt., G.C.S.I.

MID, or DROITWICH DIVISION,

John Corbett.

NORTHERN DIVISION,

Benjamin Hingley.

EASTERN DIVISION,

George Woodyatt Hastings.

DUDLEY BOROUGH.

Brooke Robinson.

KIDDERMINSTER BOROUGH.

Augustus Frederick Godson.

WORCESTER BOROUGH.

Hon. George Higginson Allsopp.

YORK.

North Riding,

THIRSK AND MALTON DIVISION,

Colonel Hon. Lewis Payn Dawnay.

RICHMOND DIVISION,

George William Elliot.

CLEVELAND DIVISION,

Henry Fell Pease.

WHITBY DIVISION,

Ernest William Beckett.

East Riding,

HOLDERNESS DIVISION,

Commander George Richard Bethell, R.N.

BUCKROSE DIVISION,

Christopher Sykes.

HOWDENSHIRE DIVISION,

Arthur Duncombe.

West Riding, Northern Part,

SKIPTON DIVISION,

Walter Morrison.

KEIGHLEY DIVISION,

Isaac Holden.

SHIPLEY DIVISION,

Joseph Craven.

SOWERBY DIVISION,

Edward Crossley.

ELLAND DIVISION,

Thomas Wayman.

West Riding, Southern Part,

MORLEY DIVISION,

Charles George Milnes-Gaskell.

NORMANTON DIVISION,

Benjamin Pickard.

COLNE VALLEY DIVISION,

Henry Frederick Beaumont.

HOLMFIRTH DIVISION,

Henry Joseph Wilson.

BARNSLEY DIVISION,

Earl Compton.

HALLAMSHIRE DIVISION,

Sir Frederick Thorpe Mappin, bt.

ROTHERHAM DIVISION,

Arthur Herbert Dyke Acland.

DONCASTER DIVISION,

Hon. W. Henry W. Fitzwilliam.

YORK—*cont.*

West Riding, Eastern Part,

RIPON DIVISION,

John Lloyd Wharton.

OTLEY DIVISION,

John Barran.

BARKSTON ASH DIVISION,

Colonel Robert Gunter.

OSGOLDCROSS DIVISION,

John Austin.

PUDSEY DIVISION,

Briggs Priestley.

SPEN VALLEY DIVISION,

Joseph Woodhead.

BRADFORD BOROUGH.

West Division,

Alfred Illingworth.

Central Division,

Right Hon. John George Shaw Lefevre.

East Division,

Henry Byron Reed.

DEWSBURY BOROUGH.

Mark Oldroyd.

HALIFAX BOROUGH.

Thomas Shaw.
Rt. Hon. James Stansfeld.

HUDDERSFIELD BOROUGH.

William Summers.

KINGSTON-UPON-HULL BOROUGH.

East Division,

Frederick Brent Grotrian.

Central Division,

Henry Seymour King.

West Division,

Charles Henry Wilson.

LEEDS BOROUGH.

North Division,

Right Hon. William Lawies Jackson.

Central Division,

Gerald William Balfour.

East Division,

John Lawrence Gane.

West Division,

Herbert John Gladstone.

South Division,

Rt. Hon. Sir Lyon Playfair, K.C.B.

MIDDLESBROUGH BOROUGH.

Isaac Wilson.

YORK—*cont.*

PONTEFRACT BOROUGH.

Hon. Rowland Winn.

SCARBOROUGH BOROUGH.

Joshua Rowntree.

SHEFFIELD BOROUGH.

Attercliffe Division,

Hon. Bernard John Seymour Coleridge.

Brightside Division,

Rt. Hon. Anthony John Mundella.

Central Division,

Charles Edward Howard Vincent, C.B.

Hallam Division,

Charles Beilby Stuart-Wortley.

Ecclesall Division,

Ellis Ashmead-Bartlett.

WAKEFIELD BOROUGH.

Sir Edward Green, bt.

YORK BOROUGH.

Alfred Edward Pease.
Frank Lockwood.

WALES.

ANGLESEA.

Thomas Lewis.

BRECKNOCK.

William Fuller Maitland.

CARDIGAN.

William Bowen Rowlands.

CARMARTHEN.

EASTERN DIVISION,

Abel Thomas.

WESTERN DIVISION,

John Lloyd Morgan.

CARMARTHEN BOROUGH.

Sir Emile Algernon Arthur Keppel Stepney-Cowell, bt.

CARNARVON.

SOUTHERN OR EIFION DIVISION,

John Bryn Roberts.

NORTHERN OR ARFON DIVISION,

William Rathbone.

CARNARVON BOROUGH.

David Lloyd-George.

DENBIGH.

Eastern Division,

Rt. Hon. George Osborne Morgan.

Western Division,

Colonel William Cornwallis West.

DENBIGH BOROUGH.

Hon. George Thomas Kenyon.

FLINT.

Samuel Smith.

FLINT BOROUGH.

John Roberts.

GLAMORGAN.

Eastern Division,

Alfred Thomas.

Rhondda Division,

William Abraham.

Western or Gower Division,

David Randell.

Mid Division,

Samuel Thomas Evans.

Southern Division,

Arthur John Williams.

CARDIFF BOROUGH.

Sir Edward James Reed, K.C.B.

MERTHYR TYDVIL BOROUGH.

David Alfred Thomas.
Pritchard Morgan.

SWANSEA BOROUGH.

Swansea Town,

Lewis Llewellyn Dillwyn.

Swansea District,

Sir Henry Hussey Vivian, bt.

MERIONETH.

Thomas Edward Ellis.

MONTGOMERY.

Stuart Rendel.

MONTGOMERY BOROUGH.

Hon. Frederick Stephen Archibald Hanbury-Tracy.

PEMBROKE.

William Davies.

PEMBROKE AND HAVERFORDWEST BOROUGH.

Adm. Richard Charles Mayne, C.B.

RADNOR.

Hon. Arthur Henry John Walsh.

SCOTLAND.

ABERDEEN.

Eastern Division,

Peter Esslemont.

Western Division,

Robert Farquharson, M.D.

ABERDEEN BURGH.

North Division,

William Alexander Hunter.

South Division,

James Bryce.

ARGYLL.

Colonel John Wingfield Malcolm.

AYR.

Northern Division,

Hon. Hugh Frederick Hislop Elliot.

Southern Division,

Hon. Greville Richard Vernon.

AYR DISTRICT OF BURGHS.

James Somervell.

KILMARNOCK DISTRICT OF BURGHS.

Stephen Williamson.

BANFF.

Robert William Duff.

BERWICK.

Right Hon. Edward Marjoribanks.

BUTE.

Right Hon. James Patrick Bannerman Robertson.

CAITHNESS.

Gavin Brown Clark.

WICK DISTRICT OF BURGHS.

John Macdonald Cameron.

CLACKMANNAN AND KINROSS.

Rt. Hon. John Blair Balfour.

DUMBARTON.

Sir Archibald Orr Ewing, bt.

DUMFRIES.

Sir Robert Jardine, bt.

DUMFRIES DISTRICT OF BURGHS.

Robert Threshie Reid.

EDINBURGH (Mid Lothian).

Rt. Hon. William Ewart Gladstone.

EDINBURGH—*cont.*

EDINBURGH BURGH.

East Division,
Robert Wallace.

West Division,
Thomas Ryburn Buchanan.

Central Division,
William McEwan.

South Division,
Rt. Hon. Hugh Culling Eardley Childers.

EDINBURGH AND ST. ANDREW'S UNIVERSITIES.
Sir Charles Pearson, kt.

LEITH DISTRICT OF BURGHS.
Ronald Craufurd Munro Ferguson.

ELGIN AND NAIRN.

John Seymour Keay.

ELGIN DISTRICT OF BURGHS.
Alexander Asher.

FIFE.

EASTERN DIVISION,
Herbert Henry Asquith.

WESTERN DIVISION,
Augustine Birrell.

KIRKCALDY DISTRICT OF BURGHS.
Sir George Campbell, kt., K.G.S.I.

ST. ANDREW'S DISTRICT OF BURGHS.
Henry Torrens Anstruther.

FORFAR.

James William Barclay.

DUNDEE BURGH.
Edmund Robertson.
John Leng.

MONTROSE DISTRICT OF BURGHS.
John Shiress Will.

HADDINGTON.

Richard Burdon Haldane.

INVERNESS.

Charles Fraser-Mackintosh.

INVERNESS DISTRICT OF BURGHS.
Robert Bannatyne Finlay.

KINCARDINE.

General Sir George Balfour, K.C.B.

KIRKCUDBRIGHT.

Mark John Stewart.

LANARK.

GOVAN DIVISION,
John Wilson.

PARTICK DIVISION,
James Parker Smith.

NORTH-WESTERN DIVISION,
Robert Bontine Cuninghame Graham.

NORTH-EASTERN DIVISION,
Donald Crawford.

MID DIVISION,
John Wynford Philipps.

SOUTHERN DIVISION,
James Henry Cecil Hozier.

GLASGOW BURGH.

Bridgeton Division,
Rt. Hon. Sir George Otto Trevelyan, bt.

Camlachie Division,
Hugh Watt.

St. Rollox Division,
James Caldwell.

Central Division,
John George Alexander Baird.

College Division,
Charles Cameron, M.D., LL.D.

Tradeston Division,
Archibald Cameron Corbett.

Blackfriars and Hutchesontown Division,
Andrew Dryburgh Provand.

GLASGOW AND ABERDEEN UNIVERSITIES.
James Alexander Campbell, LL.D.

LINLITHGOW.

Peter McLagan.

ORKNEY AND SHETLAND.

Leonard Lyell.

PEEBLES AND SELKIRK

Walter Thorburn.

PERTH.

EASTERN DIVISION,
Sir John George Smyth Kinloch, bt.

WESTERN DIVISION,
Sir Donald Currie, K.C.M.G.

PERTH BURGH.
Charles Stuart Parker.

RENFREW.

EASTERN DIVISION,
Michael Hugh Shaw Stewart.

WESTERN DIVISION,
Sir Archibald Campbell Campbell, bt.

GREENOCK BURGH.
Thomas Sutherland.

PAISLEY BURGH.
William Boyle Barbour.

ROSS AND CROMARTY.

Dr. Roderick Macdonald.

ROXBURGH.

Hon. Arthur Ralph Douglas Elliot.

HAWICK DISTRICT OF BURGHS.
Alexander Laing Brown.

STIRLING.

Joseph Cheney Bolton.

FALKIRK DISTRICT OF BURGHS.
William Pirrie Sinclair.

STIRLING DISTRICT OF BURGHS.
Right Hon. Henry Campbell-Bannerman.

SUTHERLAND.

Angus Sutherland.

WIGTON.

Sir Herbert Eustace Maxwell, bt.

IRELAND.

ANTRIM.

NORTH ANTRIM DIVISION,
Sir Charles Edward Lewis, bt.

MID ANTRIM DIVISION,
Hon. Robert Torrens O'Neill.

EAST ANTRIM DIVISION,
Captain James Martin M'Calmont.

SOUTH ANTRIM DIVISION,
William Grey Ellison Macartney.

BELFAST BOROUGH.
East Belfast Division,
Edward Samuel Wesley de Cobain.

South Belfast Division,
William Johnston.

West Belfast Division,
Thomas Sexton.

North Belfast Division,
Sir Edward J. Harland, bt.

ARMAGH.

NORTH ARMAGH DIVISION,
Colonel Edward James Saunderson.

MID ARMAGH DIVISION,
Sir James Porter Corry, bt.

SOUTH ARMAGH DIVISION,
Alexander Blane.

CARLOW.

James Patrick O'Gorman (The O'Gorman Mahon)

CAVAN.

WEST CAVAN DIVISION,
Edmund Francis Vesey Knox.

EAST CAVAN DIVISION,
Thomas O'Hanlon.

CLARE.

EAST CLARE DIVISION,
Joseph Richard Cox.

WEST CLARE DIVISION,
Jeremiah Jordan.

CORK.

NORTH CORK DIVISION,
James Christopher Flynn.

NORTH-EAST CORK DIVISION,
William O'Brien.

MID CORK DIVISION,
Dr. Charles Kearns Deane Tanner.

EAST CORK DIVISION,
William John Lane.

WEST CORK DIVISION,
James Gilhooly.

SOUTH CORK DIVISION,
Joseph Edward Kenny.

SOUTH-EAST CORK DIVISION,
John Morrogh.

CORK CITY.
Charles Stewart Parnell.
Maurice Healy.

DONEGAL.

NORTH DONEGAL DIVISION,
Thomas Rochfort Maguire.

WEST DONEGAL DIVISION,
James J. Dalton.

EAST DONEGAL DIVISION,
Arthur O'Connor.

SOUTH DONEGAL DIVISION,
John Gordon Swift Mac Neill

DOWN.

North Down Division,

Colonel Thomas Waring.

East Down Division,

James Alexander Rentoul, LL.D.

West Down Division,

Right Hon. Lord Arthur Hill.

South Down Division,

Michael McCartan.

NEWRY BOROUGH.

Justin Huntly McCarthy.

DUBLIN.

North Dublin Division,

John Joseph Clancy, M.A.

South Dublin Division,

Sir Thomas Henry Grattan Esmonde, bt.

DUBLIN CITY.

College Green Division,

Timothy Daniel Sullivan.

Dublin Harbour Division,

Timothy Charles Harrington.

St. Stephen's Green Division,

Thomas Alexander Dickson.

St. Patrick's Division,

William Martin Murphy.

DUBLIN UNIVERSITY.

Rt. Hon. David Robert Plunket, LL.D.
Rt. Hon. Dodgson Hamilton Madden.

FERMANAGH.

North Fermanagh Division,

William Hoey Kearney Redmond.

South Fermanagh Division,

Henry Campbell.

GALWAY.

Connemara Division,

Patrick James Foley.

North Galway Division,

Colonel John Philip Nolan.

East Galway Division,

John Roche.

South Galway Division,

David Sheehy.

GALWAY TOWN.

John Pinkerton.

KERRY.

North Kerry Division,

John Stack.

West Kerry Division,

Edward Harrington.

South Kerry Division,

Denis Kilbride.

East Kerry Division,

Jeremiah Daniel Sheehan.

KILDARE.

North Kildare Division,

James Laurence Carew.

South Kildare Division,

James Leahy.

KILKENNY.

North Kilkenny Division,

[Vacant.]

South Kilkenny Division,

Patrick Alexander Chance.

KILKENNY CITY.

Thomas Quinn.

KING'S COUNTY.

Birr Division,

Bernard Charles Molloy.

Tullamore Division,

Dr. Joseph Francis Fox.

LEITRIM.

North Leitrim Division,

Michael Conway.

South Leitrim Division,

Luke Patrick Hayden.

LIMERICK.

West Limerick Division,

William Abraham.

East Limerick Division,

John Finucane.

LIMERICK CITY.

Francis A. O'Keeffe.

LONDONDERRY.

North Derry Division,

Henry Lyle Mulholland.

South Derry Division,

Thomas Lea.

LONDONDERRY CITY.

Justin M'Carthy.

LONGFORD.

NORTH LONGFORD DIVISION,
Timothy Michael Healy.

SOUTH LONGFORD DIVISION,
James G. Fitzgerald.

LOUTH.

NORTH LOUTH DIVISION,
Joseph Nolan.

SOUTH LOUTH DIVISION,
Thomas Patrick Gill.

MAYO.

NORTH MAYO DIVISION,
Daniel Crilly.

WEST MAYO DIVISION,
John Deasy.

EAST MAYO DIVISION,
John Dillon.

SOUTH MAYO DIVISION,
James Frederick Xavier O'Brien.

MEATH.

NORTH MEATH DIVISION,
Pierce Mahony.

SOUTH MEATH DIVISION,
Edward Sheil.

MONAGHAN.

NORTH MONAGHAN DIVISION,
Patrick O'Brien.

SOUTH MONAGHAN DIVISION,
Sir Joseph Neale McKenna, kt.

QUEEN'S COUNTY.

OSSORY DIVISION,
William Archibald Macdonald.

LEIX DIVISION,
Richard Lalor.

ROSCOMMON.

NORTH ROSCOMMON DIVISION,
James J. O'Kelly.

SOUTH ROSCOMMON DIVISION,
Andrew Commins, LL.D.

SLIGO.

NORTH SLIGO DIVISION,
Peter McDonald.

SOUTH SLIGO DIVISION,
Edmund Leamy.

TIPPERARY.

NORTH TIPPERARY DIVISION,
Patrick Joseph O'Brien.

MID TIPPERARY DIVISION,
Henry Harrison.

SOUTH TIPPERARY DIVISION,
John O'Connor.

EAST TIPPERARY DIVISION,
Thomas Joseph Condon.

TYRONE.

NORTH TYRONE DIVISION,
Lord Ernest W. Hamilton.

MID TYRONE DIVISION,
Matthew Joseph Kenny.

EAST TYRONE DIVISION,
William James Reynolds.

SOUTH TYRONE DIVISION,
Thomas Wallace Russell.

WATERFORD.

WEST WATERFORD DIVISION,
Alfred Webb.

EAST WATERFORD DIVISION,
Patrick Joseph Power.

WATERFORD CITY.
Richard Power.

WESTMEATH.

NORTH WESTMEATH DIVISION,
James Tuite.

SOUTH WESTMEATH DIVISION,
Donal Sullivan.

WEXFORD.

NORTH WEXFORD DIVISION,
John Edward Redmond.

SOUTH WEXFORD DIVISION,
John Barry.

WICKLOW.

WEST WICKLOW DIVISION,
Garrett Michael Byrne.

EAST WICKLOW DIVISION,
William Joseph Corbet.

HANSARD'S
PARLIAMENTARY DEBATES.

IN THE

Sixth Session of the *Twenty-Fourth Parliament* of the
United Kingdom of *Great Britain* and *Ireland*,
appointed to meet 5 August, 1886, in the Fiftieth
Year of the Reign of

HER MAJESTY QUEEN VICTORIA.

FIRST VOLUME OF SESSION 1890-91.

HOUSE OF LORDS,

Tuesday, 25th November, 1890.

THE PARLIAMENT, which had been Prorogued successively from the 18th day of August, 1890, to the 25th day of October, 1890, thence to the 25th day of November, 1890, met this day for the despatch of Public Business.

The Session was opened by Commission.

The House of Peers being met,

The LORD CHANCELLOR acquainted the House,

"That Her Majesty, not thinking it fit to be personally present here this day, has been pleased to cause a Commission to be issued under the Great Seal, in order to the opening and holding of this Parliament."

Then, Five of the LORDS COMMISSIONERS—namely, the Lord Chancellor, the Earl of Lathom, the Earl of Coventry, Lord Brownlow, and Lord Knutsford—being in their robes, and seated on a form placed between the Throne and the Woolsack, commanded the Gentleman Usher of the Black Rod to let the Commons know, "The Lords Commissioners desire their immediate attendance in this House to hear the Commission read,"

Who being at the Bar, with their Speaker:—The Commission was read by the Clerk:—Then

THE QUEEN'S SPEECH.

The LORD CHANCELLOR delivered Her Majesty's Most Gracious Speech to both Houses of Parliament, as follows:—

My Lords and Gentlemen,

"No change has taken place in the Foreign relations of this country during the short period which has elapsed since the close of the preceding Session. The securities for European peace appear to me to be undiminished.

by Contract with H.M.'s Government. An Asterisk at the commencement of a Speech indicates revision by the Member.

"I have commenced negotiations with the King of Italy for the determination of the frontier which separates the territory under British influence in North-East Africa from that which belongs to the protected Empire of Abyssinia.

"A Treaty was signed on the 20th August, having for its object the ascertainment of the boundaries between British territory in Central Africa and the Portuguese Provinces of Angola, Gaza, and Mozambique. It has, however, not received the ratification of the King of Portugal; and, pending further negotiations, a temporary arrangement in regard to the most urgent questions has been concluded between the two countries, which will be laid before you.

"Negotiations have also been commenced in respect of the Newfoundland Fishery questions, and I trust that a settlement may be arrived at which will be satisfactory to all parties.

Gentlemen of the House of Commons,

"The Estimates for the charge of the ensuing year will be submitted to you at the ordinary time. Strict economy will be observed in the preparation of them.

My Lords and Gentlemen,

"The general condition of Ireland has sensibly improved under the operation of the salutary legislation which you have applied to it. But I have learned, with deep regret, that a serious deficiency in the potato crop in certain parts of Ireland threatens the recurrence of one of those periods of severe distress to which the population of the Western Counties are peculiarly exposed by the industrial and economic conditions under which they live. I trust that the measures of my Government may mitigate the immediate evil, and diminish the probability of its return. It appears to me also desirable, for the increase of contentment and the diminution of political disturbance throughout Ireland, to take measures for augmenting the number of owners engaged in the actual cultivation of the land. A measure having this object in view will be laid before you.

"Proposals will again be made to you for remedying the difficulties which have arisen from the indirect incidence of Tithe Rent Charge upon the land in England and Wales.

"A measure will be submitted to you for facilitating the transaction in Scotland and Ireland of the more important stages of Private Legislation affecting those countries.

"Your attention will be invited to the expediency of alleviating the burden which the Law of Compulsory Education has in recent years imposed upon the poorer portion of my people.

"There are several other matters upon which legislation is desirable; but recent experience has rendered it doubtful whether the time at your disposal will, in your judgment, be sufficient for the consideration of many subjects of an important character beyond those to which I have referred. In case time for further legislation should be found, I have directed the preparation of Bills for the enactment of a reformed system of County Government in Ireland analagous to that which has been recently put in operation for Great Britain; for the establishment of District Councils; for the extension of facilities for purchasing small parcels of land in Great Britain; for amending the Law with respect to the compensation payable by employers in case of injury to persons in their employment; for consolidating and amending the Laws relating to Public Health; for the appointment of a Public Trustee; and for increasing the security of Friendly Societies and Savings Banks.

"In the discharge of the arduous duties which are assigned to you, I commend you heartily to the guidance of Almighty God."

Then the Commons withdrew.

House adjourned during pleasure.

House resumed.

Prayers.

ROLL OF THE LORDS.

Garter King of Arms attending, delivered at the Table (in the usual manner) a list of the Lords Temporal in the Sixth Session of the Twenty-fourth Parliament of the United Kingdom: The same was ordered to lie on the Table.

SELECT VESTRIES.

Bill, *pro formâ*, read 1a.

THE QUEEN'S SPEECH.

ADDRESS IN ANSWER TO HER MAJESTY'S MOST GRACIOUS SPEECH

The Queen's Speech reported by the Lord Chancellor.

Lord WINDSOR (who wore the uniform of a Lord Lieutenant), in moving an Address of thanks in reply to Her Majesty's Gracious Speech, said: My Lords, I have been a very constant attendant at Debates in this House for a period of about 12 years, but I feel that the circumstances under which I come before you to-day are very different to those in which I have hitherto found myself placed. I am conscious that I stand in need of as full a measure of your Lordships' indulgence as it has ever been necessary for any noble Lord to ask for on previous occasions and under similar circumstances. In moving that an humble Address be presented to Her Majesty in reply to Her Gracious Speech from the Throne, I should approach my task with more misgiving than I really do if it was not for two chief reasons. The first is my own personal conviction that the policy which is shadowed forth in the Queen's Speech, and which it is my privilege this evening to support, is a policy which is calculated to promote the real interest of this country both abroad and at home. The foreign policy of the country, under the direction of the noble Marquess, is one which commands both the respect and confidence of those nations with whom negotiations, involving some difficulty, have been carried on. As to the domestic policy of the Government, I am glad to see that it promises us a continuance of the firm and just administration of the law, tempered with a serious endeavour to effect such wise reforms as the nature of the circumstances of the present day under which we live demands. The second reason, my Lords, is my conviction that this opinion, which is held by noble Lords on this side of the House, is shared to a no small extent by noble Lords on the Benches opposite; to which I might add even a third reason in the nature of a suspicion that the criticisms which will probably be delivered by the noble Earl and his colleagues on the Front Opposition Bench will, in all likelihood, be directed to the fulfilling of their obligations as an Opposition rather than to any very serious attempt to persuade your Lordships that the policy of Her Majesty's Government is wrong. However that may be, I will proceed in introducing this Motion to the House to make a very few and brief remarks on one or two important matters which are mentioned in the Speech from the Throne. The first paragraph of Her Majesty's Gracious Speech deals in very short terms with the foreign relations of this country and the securities for European peace. It is a paragraph that we have been accustomed to see somewhat in this form on previous occasions, and it is one, perhaps, that we are apt to pass over without giving it any serious attention, but, with your permission, my Lords, I would draw attention for one moment to the meaning of this paragraph, and to the way in which it affects the country at this moment. My Lords, we have not had exactly a peaceful political autumn. In addition to the occasions upon which prominent Members of the Ministry have addressed meetings in different parts of the country, we have had a Mid Lothian campaign, and we have had a gathering of the Liberal Federation, and various other incidental opportunities for using strong language and of dealing hard blows; but in all the speeches that have been delivered, I certainly have not myself noticed any serious criticisms on the administration of the Foreign Office, with the one single exception of a criticism on the arrangements that have been made with regard to Malta. That was a criticism made by Mr. Gladstone in a speech which he made at Edinburgh at the end of last month. But may I now draw your Lordships' attention to some other things that Mr. Gladstone said with regard to our foreign policy? He referred to the arrangements in Africa, and he said that—

> "He thought those arrangements did the noble Marquess credit";

and he said that

> "He believed, on the whole, that the noble Marquess did the best the circumstances of the case permitted."

And, further, he said with regard to the Newfoundland Fisheries question and to the occupation of Egypt—

> "We have carefully abstained from saying a single word which would create other difficulties for him either in the one or the other, and you may depend that so we shall continue to act."

I quote that desiring to give full credit to Mr. Gladstone for the attitude which he has adopted. But we have likewise had, not long ago, a speech from the noble Earl who leads the Party opposite in your Lordships' House, and we might, I think, have expected some remarks from him on foreign affairs; but certainly in the report that I saw I did not notice that he made any allusion whatever to that subject. It seems to me, my Lords, we are at least entitled to infer that criticisms if there are any to be made have not at any rate been considered of sufficient weight and importance to lay before meetings of the electors of the country; and we are likewise I think entitled to infer that if such be the opinion of the leaders of the Opposition the noble Marquess really has the confidence and support, in connection with foreign matters (taking foreign policy alone), of a large majority of the people. There is one thing that I would touch upon with your Lordships' permission which is intimately connected with the foreign policy of this country, but at the same time not strictly within the province of the Department of the Foreign Office. I allude to the national defences. I am very glad that Her Majesty's Government have proved to Parliament and to the country that this question is one which has received and is receiving their serious consideration; and I hope sincerely that they will not, for the sake of the passing popularity to be gained by an economical Budget, relax in any degree whatever their efforts to put the defences of this country on a thoroughly satisfactory and sure foundation. I am no alarmist, and I would utterly repudiate any feeling of what has been vulgarly called "Jingoism"—any desire to brag or to be offensive to our foreign neighbours in any way, but I really regard this as a policy of wise national insurance, which ought in no way to be neglected by any Government. My Lords, it is difficult to approach the two prominent main questions in the Speech from the Throne with becoming reticence, and in the general way in which they ought to be treated in the Debate on the Address. An Irish Land Purchase Bill and a Tithes Bill have already been before Parliament, and it is difficult not to look at these promised measures in the concrete form in which they were before the House of Commons last Session. The supporters of Her Majesty's Government had hoped that those questions would have been dealt with, and that those Bills would have been passed, last Session. For reasons that are perfectly familiar to your Lordships, and to which I need not refer, those hopes have not been fulfilled, but I trust that one advantage, at least, may prove to have been gained by this delay, and that is that the framers of those Bills and the Cabinet may have been able to make such alterations, additions, or amendments as further discussion and consideration may have suggested, and that in consequence the Parliamentary career this Session of those measures may be more rapid and more successful than it was last. I will not refer to the paragraph with reference to Ireland. It will be dealt with by the noble Lord who seconds this Motion much more ably and with much more knowledge of the subject than I can bring to bear upon it. I would only make this one general remark accounting for my hearty support of the policy of the Government, and that is that I feel it is far easier to make laws than to enforce them, and that it matters not how wise the laws may be that you have made, they are perfectly valueless unless they are obeyed. I would even go as far as to say that it would be better for a Government to know how to enforce the laws they have made, be they good, bad, or indifferent, than to fritter away their energies and stultify their actions by hesitation and scruples as to the perfection of the laws themselves. I hope, my Lords, that I may not be misunderstood. I would say this: Think well before you act, but, when you have decided, carry out your decision with all the energy, all the confidence that is in you. It is because I believe that Her Majesty's Government have already adopted this policy, it is because I believe that they intend to pursue it, and thus prevent the law in Ireland being a dead letter, that I so heartily support them. Though for a time they might lose the popular support, and I believe it would be only for a very short time if they lost it at all, they would by their action permanently strengthen the hands of authority, and for that reason alone they would have rightly earned the thanks of their successors, whoever they may be. My Lords, I would for one moment refer to the paragraph relating to the tithe question. Proposals will again be made to you for remedying the difficulties which have arisen from the incidence of tithe rent-charges upon the land in England and Wales. I cannot but feel that an artificial grievance has been forced up upon this question. That tithe is a part of rent, is, I suppose, an undeniable proposition; and certainly a proof of this lies in the fact that no serious proposal has ever been made to abolish tithe altogether, for the result would obviously be merely to put more rent into the pockets of the landowners; and that is very far from being the intention or desire of anti-tithe agitators. As to the tenants, it matters little to them whether they pay a certain amount into one or into two pockets. I cannot believe that any tenant would refuse to pay as rent into one pocket, what he now consents to give when he takes a farm and pays into two pockets. Therefore it is that I say it is a matter which really does not concern the tenants. I welcome any measure which will throw the responsibility of paying the tithe upon the shoulders of those who really have to bear it, and have always borne it. I cannot but feel that there is a political and sectarian attack made upon the Established Church in this particular. That it should come from those who think all religion superstition, and the teaching of dogmatic creeds as the dissemination of error, is not surprising; but it does surprise me that, side by side with those persons, and hand-in-glove with them, there should be so many religious and truly Christian men. I am far from saying that there are not many who live truly good and unselfish lives, whose religion is perhaps independent of dogma, and this is surely an intellectual position which it would be idle to expect even if it were desirable from those who have not specially trained their minds towards it. For the bulk of the people it unquestionably appears to me that if you reduce the power of Christian organisations in the country and limit their influence you are really depriving so many people of the real incentive to a higher moral life; and, therefore, I cannot help thinking that a grave responsibility rests upon the shoulders of those who truly estimate the value of Christian teaching, if they should endeavour to cripple the resources of the Established Church, and to devote to secular purposes what appears to be unquestionably the rightful property of the Church. My Lords, there is only one other Bill that I would say a few words about, and that is the measure for facilitating the transaction in Scotland and Ireland of the more important stages of private legislation affecting those countries. Your Lordships are all perfectly familiar with the working of Private Bill legislation. You are aware what pressure is put upon Private Bill Committees to save the expense of bringing witnesses from long distances and keeping them for a long time in London. I feel sure, therefore, that your Lordships will agree that Her Majesty's Government are taking a right course in promising to give their attention to this matter, and to save, if possible, some of the expense of Private Bill legislation as regards Scotland and Ireland. My Lords, I cannot sit down without thanking you for the kind indulgence you have accorded. I cannot say that it was unexpected, but I am none the less grateful, especially as I am painfully aware that it has been so little deserved. I beg to move the Motion which stands in my name.

Moved, "That an humble Address be presented to Her Majesty as followeth:—

Most Gracious Sovereign,—

We, your most dutiful and loyal subjects, the Lords Spiritual and Temporal in Parliament assembled, beg leave to offer our humble thanks for the Gracious Speech which Your Majesty has addressed to both Houses of Parliament."—(*The Lord Windsor.*)

*Lord ARDILAUN (who wore the uniform of a Deputy Lieutenant), in seconding the Address, said: My Lords, I know that I might largely rely upon that wide and generous indulgence which you always extend to those who stand in the position which I have the honour to occupy to-day; but I will only occupy a very brief period of your time, and I trust that no apology will be necessary if I proceed at once with the few observations which I desire to make in seconding the Address upon those portions of Her Majesty's Gracious Speech which deal with Ireland, because that country will no doubt absorb a great portion of the time of this Session on which we are just entering, and also because in that country I have passed the greater part of my life, and trust if I am permitted to spend there the remainder of my days. I do not propose to weary you with lengthy statistics in order to prove that the task of the Government in establishing order in Ireland progresses steadily and that crime becomes daily less and less. I will, therefore, only read the following figures from the latest Returns: It appears that whereas the total number of agrarian crimes, exclusive of threatening letters, reported in the year 1886 was 632, that number has since annually diminished. Last year, 1889, it stood at 341; and the number reported for the last ten months—that is, from January 1st to October 31st, 1890, was only 244. So that we may fairly expect that at the close of the present year the calendar of agrarian crime will be less heavy by more than 50 per cent. than that of the year 1886 when the present Government took Office. But, my Lords, it is not necessary to convince ourselves by statistics. No one who reads the newspapers, and especially the Irish Nationalist newspapers, can fail to have been struck by the fact that while the agitators, high and low, are moving heaven and earth to persuade the people of this country, and especially the voters, that the whole Irish people are in a state of furious indignation under the bitter oppression of unjust laws—laws which they cannot and which they are told on high authority they ought not to obey—most of the Irish people show little signs of that furious indignation, except in a few exceptional localities, carefully chosen for the purpose, and even in those localities it is necessary for them to concentrate all their great powers of creating disturbance, and all their great dramatic talent for making use of that disturbance when created, aye, and large sums of money, too, to enable them to keep up any show of resistance to those intolerable laws. Certainly, so far as concerns that part of the country with which I am connected by property and by frequent residence, I am glad to be able to give a most satisfactory account. That district not many years ago had one of the saddest and darkest records of any in Ireland. Within it occurred the now historic persecution of Captain Boycott; within it occurred such awful murders as those of the unfortunate Lord Mountmorres, the Huddys, and others whose names I do not now desire to recall. And indeed, my Lords, if I refer to those terrible times, I do so solely for the purpose of contrasting them with the present happier state of things, and the promise of—as I trust—a brighter future. I am glad to recollect that those gloomy experiences were but an episode, a passing interruption of a better and happier state of things when the people followed their avocations in peace. I rejoice now to be able to say that the district of which I am speaking is as free from all crime as any parish in England or Scotland, and that the people are readily obeying the laws, and faithfully, I believe to the best of their ability, meeting their obligations. And, further, my Lords, I believe the people themselves are well pleased with this state of peace and repose. I am confident that so long as the laws continue to be firmly and fearlessly maintained—so long as agitators are restrained from arousing and terrorising into crime an excitable, but warm-hearted, peasantry, the people will follow their pursuits in peace, and the country will remain as free from crime as I well recollect it to have been before the Land League commenced its disastrous career. I have no doubt that many of your Lordships from other parts of Ireland could tell a similar tale. To anyone who has, during the last 10 or 12 years, watched the course of events upon the spot, it must be evident that from day to day, as the law is vindicated and its authority maintained, the waves of popular excitement calm down and the people soon forget the awful hurricane by which Irish society was only a few years ago swept. The truth is, that the vast majority of the Irish people desire peace—peace for the performance of their various duties and daily business—and that those cases of lawlessness of which we read in such places as Tipperary and a few other spots are not the outcome of unjust laws or tyrannical administration; they are the direct results of a deeply-planned agitation, carefully and theatrically worked up for a political purpose. I think, under those circumstances, we may all echo the words of Her Majesty's Most Gracious Speech which record the steady improvement in the social condition of Ireland which advances so rapidly under the present Administration. I need not say how much this wonderful change is due to the great ability, courage, industry, and patience with which the present Chief Secretary for Ireland has fulfilled his difficult and thankless task. But, speaking as an Irishman, I hail even more heartily those portions of Her Majesty's Gracious Speech which promise generous measures for the immediate and material benefit, and for the lasting welfare of my fellow-countrymen. I will not now venture to occupy your Lordships' time by anticipating the detailed criticism of the Land Purchase scheme which must take place when the Bill is before us; neither will I venture to offer any argument in support of the general policy of largely increasing the number of peasant proprietors. I believe that it has been admitted by thoughtful men of all Parties and all classes, that in such a policy alone is to be found a lasting and permanent settlement of that disastrous struggle between the owners and occupiers of land in Ireland, which from generation to generation has been the ruin and the shame of our country. I will now only ask to be permitted to add my testimony to the large amount of evidence that already exists as to the great success of the efforts which have been already made in this direction. Some years ago—in 1886, I think—I sold to my tenants, under the Ashbourne Act, some portions of my property in the County Galway; and I am glad to be able to bear witness to the fact that the new proprietors on that and on several other estates of which I know have regularly paid their instalments, and I believe are well pleased with their new position. There is only one other point connected with this subject with which I will trouble your Lordships. I wish to say a few words in answer to a charge which has been often made, and made I think evidently not only with the purpose of prejudicing the Irish landlords as a class, but also the Government. It has been said that the object of the policy of Land Purchase is to enable the landlords to "pocket the plunder," as it is called, and to flee the country. Now, I desire most emphatically to repudiate that accusation. I know, on the contrary, of many landlords, who, unless they sell portions of their property, must leave the country, but who are desirous of remaining. I do not see why, if we enter into voluntary arrangements with their tenants for the sale of their estates or portions of them, that should be called "plunder;" but I desire to say on my own behalf—and I think I may speak in this matter on behalf of the vast majority of the Irish resident landlords—that we desire to live in our own country; and if we join in supporting a change in the relations which have hitherto so long existed between ourselves and our tenants, it is because those relations have been rendered difficult, and in some parts of Ireland precarious. On this account we are willing to substitute for them a new state of things under which Irishmen of every class may continue to live in their own country, but under conditions which shall be more permanent and happy. It is the proposal of the Government for dealing with the congested districts which claims the warmest gratitude of those who, like myself, have had opportunities of seeing the misery which inclement seasons from time to time bring upon those fringes of our civilisation. No one can help feeling the deepest sympathy for those poor people who inhabit the rocky and sterile coasts which all along the western seaboard of Ireland are visited by the fierce gales and drenching rain of the Atlantic; but they have hitherto been left hopeless and helpless. I hold that the Government have followed a wise and certainly a humane policy in proposing to establish and endow an independent Board, which shall not only study such difficult questions as emigration, migration, and the consolidation of holdings, but shall also forthwith proceed to consider how far they can render assistance to fisheries and other local industries. And I am glad to know that the vigour with which the policy of providing light railways has been pushed has brought hope and confidence to many a poor family whose outlook for the winter was desolate enough in view of the potato failure, which failure, by the way, seems to have lost all interest for the so-called "patriotic" party since it ceased to offer them a good opportunity for the furtherance of their political ambitions. It is still difficult to accurately estimate the extent of this misfortune, so capriciously has the blight fallen this year upon the various localities, farms, and even upon different parts of the same field; but, speaking generally, I would venture to predict that in many places the distress caused by it will be serious, and, in some, acute; but I do not think it will be anywhere so bad that the promises of vigorous assistance—which has been given by the Government—will not be able to grapple with it. I believe that a well-arranged system of light railways will prove to be the pioneer of comparative prosperity in many of those districts in the West which have hitherto seemed to stand still, or retrograde, while other parts of Ireland were improving. I have detained your Lordships too long, but I trust you will not charge me with egotism for having brought before you these views and opinions gathered from personal experience and observation; for I am confident that every one of your Lordships, to whatever Party you may belong, takes a deep and kindly interest in all questions which touch the material welfare and happiness of Ireland.

EARL GRANVILLE: My Lords, for various reasons I do not propose to trouble you at any length. At the very beginning I am confronted with a difficulty—I admit a small difficulty. It has been my happy lot, not unfrequently, to compliment with well-deserved compliments the Mover and Seconder of the Address in this House, but I do not know that I have ever had to go so far in the chivalry of opposition as to complain of those speeches being too good or too full. I will explain my meaning. Since I have been in this House—now a good many years—I have never heard any criticism whatever with regard to the manner in which we debate the Address in Answer to Her Majesty's Gracious Speech from the Throne. But this has not been the case in another place. This is not an old grievance, but a recent grievance. One of the fruits of that obstruction which was brought almost to the perfection of a science by the Irish Members on the one hand, and by the Fourth Party, supported by other Conservatives, on the other, against the Administration of Mr. Gladstone, was a lengthy Debate on the Address. That was one of the means used. I think there has been a general feeling that it is desirable to shorten these Debates, and for that reason—although the noble Lords who moved and seconded the Address did not allude to the innovation—I have not any objection to make with regard to the form of the Answer being quite different to what it has previously been. It seems to me quite as businesslike and quite as respectful to Her Majesty. But I think there has been some inconsistency shown in making that change. To that change I see no objection, because I imagine, notwithstanding the shortness of the Answer, it would be perfectly competent to myself or any other Peer to move an addition to the Answer if we thought fit. At all events, the intention is good, and I certainly desire to assist the Government in making whatever use of that change that may be possible. But it does not seem to me to be perfectly consistent with this desire to shorten the Debate, to introduce into the body of the Speech that which is of a somewhat controversial character, namely, the state of Ireland; and also to encourage the Mover and Seconder of the Address—I presume in the other House as well as in this—to touch upon almost every point—there was one exception to which I will afterwards allude—as has been done under the former state of things. It appears to me to be a sort of invitation to this House, which I do not think we shall take unfair advantage of, and to the other House also, to nullify the course which has been proposed. There is one point to which the noble Lords who moved and seconded the Address did not allude—I think very judiciously—namely, why we meet on this particular day, one of the last days of November. Last February I took the liberty of pointing out that Parliament was meeting at an unusually late period. No answer was given to that observation; but there is no doubt that the lateness of that meeting contributed, with other causes, to the complete legislative collapse which took place. When that collapse took place there was no doubt a good deal to be said for and against an Autumn Session, but I do not think that any of those persons who argued in favour of an Autumn Session imagined that it was going to be reduced to the smallest possible limits, and that there would be any serious hope in a period of not more than three weeks of making up for that with which more than six months had been inadequate to deal. There may be Party reasons for objecting to it, but why a Government with a large majority in both Houses, and with a sincere desire to press forward the measures which they propose, should always show a reluctance to meet Parliament I am unable to understand. It was different formerly. Lord John Russell always proposed to meet Parliament on the earliest possible day, and Mr. Gladstone always followed the same course; but what particular reason the present Government have for always postponing to the last moment the meeting of Parliament I will not attempt to explain. The first and principal portion of the Speech is devoted, as is the custom, to foreign affairs, and I must at once thank the noble Lord who moved the Address for the very handsome tribute which he paid to the attitude of the Opposition with regard to the administration of foreign affairs. Like everybody else—I am sure no one can doubt—I am delighted to hear the confidence with which peace is spoken of by the noble Marquess, and it is all the more consolatory because it seems to be in harmony both with the thoughts and actions of the other great Governments of Europe. Then with regard to other things, nobody who has been connected with the Foreign Office can fail to rejoice very much at the chance of our coming to an arrangement respecting the Newfoundland fisheries, and I certainly hope the noble Marquess will be able to carry out that arrangement. With regard to the negotiations with Portugal, I also, instead of wishing to criticise, entirely rejoice that after a very sharp and disagreeable conflict of feeling, the noble Marquess has adopted a *modus vivendi*, in which, I think, it is likely that the substantial merits of the case may be settled, and at the same time I hope that it may do away with the friction which to so great a degree has been created on this subject. Then with regard to the delimitation of colonial possessions of the European Powers, I am sure that that is a good thing in itself—of course it depends upon details into which I am not entering now, but in itself the thing is good, and the noble Marquess has had an opportunity of giving *urbi et orbi*, both to the city and to the universe, his views upon the result of that delimitation. With regard to the hostile tariff which has been lately passed by the United States, I entirely agree with the noble Marquess that we have no action to take with regard to that tariff, especially as it could only be done by the old, fatal, and useless tariff wars which I, for one, deprecate, and would regard with the greatest degree of apprehension. But I am not sure that I am at one with the noble Marquess as to the measures by which we are to neutralise in some degree the bad effect of that hostile tariff. I had an opportunity in public not long ago of saying that I firmly believed that this tariff was not owing to any hostile feeling on the part of the United States towards this country, but was partly due to electioneering questions, to the extreme popularity there of Protection, and also perhaps to capitalist and very powerful vested interests. I am exactly of the same way of thinking now, and I do not think that the reaction which seems to be taking place has anything to do with any interests they have with regard to our commercial prosperity or depression. But there is no doubt that this tariff will do harm. It will affect certain manufactures very much, and it seems manifest that such a tariff will do infinitely more harm to the United States themselves than to others. It will derange trade; it will be injurious to their agriculture, to their labourers, to their farmers, and to their artisans. To us there will be compensations. I have no doubt that they will fail in prohibiting trade, as this tariff proposes. This country, like America, must sell its extra produce, and in order to sell that produce it must buy the produce of other countries. Another consideration is that I do not think that any nation has ever succeeded in establishing very strong prohibitive duties without creating an enormous amount of smuggling, and if the Dominion would only take the course, which would be in their interest, of lowering their duties, I believe the amount of smuggling would be so enormous as in itself to very much counteract that tariff. It appears to me impossible to station along thousand of miles of frontier lynx-eyed Customs officers such as those who discovered the cigars and brandy which were lately so unfortunately placed in the middle of the noble Marquess's luggage. The noble Marquess laid great stress on the fact that "trade follows the flag." I am not so certain that trade does follow the flag. Trade follows the language and the habits of a race. Our trade, notwithstanding all our commercial difficulties with that country, has enormously increased with the United States, where certainly our flag does not float. On the other hand, it cannot be denied that our trade has greatly decreased with some portions of the Dominion and our Colonies, where our flag does float. In those places the flag has not removed obstacles to trade between them and the Mother Country. For those reasons I do not think we can look to the noble Marquess's remedy of annexing enormous territories occupied by uncivilised peoples as a means of meeting any hostile demonstration as regards the demands of our trade. The noble Marquess alluded to the Protectionist feeling of the whole world. It is very sanguine to say that, but it cannot obliterate altogether the importance of the change which is taking place in the United States at this moment. I have not the slightest doubt that the Protectionist feeling in Europe which has prevented their following our example in the direction of Free Trade has been very much owing to seeing so prosperous and free a country as the United States devoted to Protection and against Free Trade. I myself am sanguine that if a great change took place in that country it would react upon the feelings not only of the Americans themselves, but of the nations of Europe also. My Lords, I do not know that I have anything more to say upon foreign affairs. If I had, I should be prevented by the absence of a noble Friend (Lord Rosebery) who is suffering under one of the greatest misfortunes that can happen to a man. But, asking the indulgence of the House, I may, perhaps, allude to two questions which are not in the Queen's Speech. I have no right to complain of their omission from that document, still, they are questions of considerable importance, and I think possibly—I do not say certainly—Her Majesty's Government may give some explanation upon them. One of these questions is with regard to the great financial panic which occurred quite lately in the City. It seems to us who are not, of course, perfectly well-informed in the matter, that it has been met in a manner which is exceedingly creditable to the firmness, prudence, and liberality of the City itself. There is, however, one fact that needs explanation. It has also been stated in the newspapers that there were communications with the Government; but there were statements made with regard to that which are unintelligible, and cannot be true. One statement was that Her Majesty's Government, without giving a guarantee, stood behind the Bank of England to the amount of £2,000,000. That appears to me to be nonsense, and I cannot conceive how that can have been so. I do not know how far these communications were of a perfectly confidential character, or of a nature which Her Majesty's Government would do wrong to divulge. But it would be satisfactory, if that is not the case, if the noble Marquess would state the fact, and give us a little inkling of what the course was which Her Majesty's Government took on this important occasion. The other question is one of the most painful that I remember during my political life. It is the charges that have arisen with regard to an expedition in which great qualities of enterprise and of endurance were shown—charges so painful that I do not know how to allude to them. I do not know whether the Government have considered how far they are called upon to take steps with regard to these charges. I do not give any opinion upon the question whether they ought or ought not to take steps, but it would be satisfactory to know whether Her Majesty's Government have considered the subject, and how, if at all, they think they are called upon to deal with it. Then, my Lords, I come to the Bills which are promised. There are four of them. As I have already said, the noble Lords who moved and seconded the Address touched upon every point in Her Majesty's Speech with one exception, and I think they were perfectly justified in making that exception. They made no allusion to that bogus part of the speech. It is a perfect innovation for Her Majesty's Government in the Queen's name to introduce a whole list of measures with more or less popular titles without taking any of the responsibility which is usually incurred in naming the popular measures proposed to be introduced. I think the omission of the noble Lords was perfectly wise and perfectly justified; and necessarily any discussion upon my part of those important subjects, brought forward on so airy a foundation, would be entirely out of place, and could only be of the most academic character. The noble Lord the Mover said something about two Bills. I do not know what they are. Is the Tithe Bill the same as that of last Session, and is the Land Bill exactly the same as that to which so much attention was given last Session? I do not know whether the noble Marquess will think it right to give us any inkling as to how far they resemble those which came to grief last year. Then there is the question with regard to private legislation in Ireland and Scotland. I am quite sure we shall not oppose Bills if we see no objection to them. Unlike the obstruction which was offered to Mr. Gladstone's Administration, where obstruction was offered to every measure good, bad, and indifferent, whether the Opposition liked it or not, we do not oppose Bills, but we give facilities to them where we do not think they are subject to any fatal objection. As to the proposals with regard to free education I think I can answer for the Opposition being prepared to give that cordial support which they have always given, though that support depends, of course, on what system of free education is proposed to be established. I am afraid I cannot contribute anything further to the Debate, in regard to those four Bills of which at the present moment I really know nothing. Then there is the question which always crops up and stands in the way—the Irish question. During the short recess very heavy charges were brought against the Government as to the policy of the Tipperary prosecutions—how far they assisted in establishing order and the authority of the law. On this point there is a singular commentary in the coincidence that two men so very unlike in their politics and character as Her Majesty's Solicitor General and Mr. Labouchere both agree that those proceedings were a farce. Questions were raised as to the competency of the Judges, as to the sufficiency of their legal training, as to their independence, as to the action of the police, as to the action of the Divisional Magistrates—one individual being told that if he said anything which seemed to the Magistrate illegal that that would at once make him disperse the assembly—and as to the mode in which the Magistrates had been selected for the purpose of these trials—all sorts of questions in short, into which at this moment I do not propose to enter, and I will tell you why. Your Lordships may remember that last Session, in June, Mr W. O'Brien brought before the House of Commons the subject of a certain meeting which he described as having been dispersed without notice and without invitation to disperse. Mr. O'Brien then described the violent charges of the police, in which a woman was struck on the breast. The Chief Secretary, relying upon official information which he had received, denied those statements, and the House of Commons, by the majority which the Government command, endorsed that denial. It happened that Mr. John

Morley, the late Chief Secretary, went to Ireland to judge for himself of the condition of the country, particularly with reference to the likelihood of a potato deficiency. He went, and while there with Mr. Dillon, who is being prosecuted in Tipperary, Mr. Illingworth, and other persons, saw what appeared to be a repetition of the charge made by Mr. O'Brien in the House of Commons in June. Mr. Balfour then did a thing which I think he must have done inadvertently and without thinking of it. He, in a public speech, intimated, not only to those whom he addressed, but to the Magistrate who was subordinate to him, that he had considered the matter, and that he had come to the conclusion that Mr. Morley's evidence was not worth anything. I am not going to argue whether Mr. Morley's evidence is worth anything, because, with the evidence of Mr. Illingworth, it will be given in a Court of Justice next week, and will be subject to cross-examination. In these circumstances I do not think it would be right for me this evening to introduce a discussion upon this important Irish question, more particularly as I do not wish to give an example to obstructionists in another place, but on the contrary desire to facilitate passing the Address as soon as possible. My Lords, I said I would be short in my remarks. I have not broken that promise; and in conclusion I can only say that I trust that this Session will be more bearing of good fruit than at present it seems probable that it will be.

THE PRIME MINISTER AND SECRETARY OF STATE FOR FOREIGN AFFAIRS (The Marquess of SALISBURY): My Lords, I have the happiness to be in accord with the noble Earl in his criticism of the speeches of my noble Friends. I have heard, and the House has heard, them with very great pleasure, and though possibly they may coincide with the noble Earl in thinking that they were very full, I do not think they will coincide with him in thinking that they were too full. What my noble Friend who moved the Address said on the subject of his career in this House I hope I may interpret as a cry of penitence for not having more frequently given us the advantage of his assistance in council. At all events, he cannot plead in future that there is any doubt on our part of his fitness to address the public and ourselves with great advantage. To my noble Friend who seconded the Motion my thanks are due for the counsel and assistance which he and his friends have given to the Government and to the House on the grave questions with which he is, by his position, so specially familiar; and I hope that in the Irish Debates which are probably impending over us, and which may occupy much of our time and energy, we shall not lack the assistance, the guidance, and experience of my noble Friend. I feel, in discussing foreign affairs, that there is one circumstance which would hinder us—a circumstance which was referred to with his customary good taste by the noble Earl. We cannot now touch upon foreign affairs without feeling that they would have been spoken to with the greatest authority by a noble Earl who is absent from this House to-night, over whose hearth the bitterest sorrow has fallen that can befall a man; and in regretting his absence from this Debate from that cause I am sure every Member of the House tenders his earnest sympathy to one of its most distinguished Members in the terrible grief that has befallen him. The speech of the noble Earl might be conveniently summarised by this formula—"I could say something about some of the subjects which have been placed before us, but I would rather say nothing at all." The noble Earl referred to a succession of subjects on which he should like to have made some observations, but as he advanced towards the consideration of them he always saw good reasons for abstaining from saying more. I will not go into the politico-economical questions which the noble Earl raised. They could only be dealt with satisfactorily by an array of statistics which certainly I do not carry in my head. I think, however, he will find that the doctrine that the flag draws the trade is covered and supported by the documents which are annually laid before us. He talks of its being really the language that attracts the trade, but if we look at the trade of this country with India, and compare it with the trade that we carry on with other countries quite as rich and quite as vast, I think he will see that the political connexion with that country is a very powerful factor in the enormous commerce which we are enabled to derive from it. Although it is lamentably true that some of our colonies, not following our Free Trade example, have interposed the obstacles of tariff between us and them, which hinder our trade, yet I think it is the fact that our trade is increasing more rapidly with the Australian Colonies than with any other part of the world. I do not, of course, say that the trade of Africa will be an immediate compensation for what we may lose in consequence of the existence of Protectionist beliefs in America, but it is a motive for preventing territory from falling into the hands of other Powers, that those Powers will probably use the dominion which we concede to them for the purpose of crippling the trade that we otherwise should possess; and that seems to me a legitimate motive for the accession of territory which might otherwise be wanting when we consider how vast the territories of this country are. The noble Earl put two questions to me which I am afraid I cannot answer in a very satisfactory manner. He asked me with respect to the events which have recently taken place in the City of London. Undoubtedly it was the duty of a very able man, the Governor of the Bank of England, to whose prudence and strength of character I believe the City owes an incalculable debt of gratitude, to place himself in communication with the Government. If any action of the Government had taken place on those communications, it would have been my duty to lay it frankly and without reserve before Parliament. But I do not think that inchoate and contingent matters are profitable subjects of debate. They could not be explained without disclosing matters of a purely confidential character, and I say that we should only be doing harm and not good if we were now to unrip transactions which have now happily floated back into the past. With respect to Africa, of course there are no two opinions as to the horror of the matters upon which for the last fortnight or three weeks we have been fed almost every day. But I am not prepared to accept for Her Majesty's Government the duty of preserving life and property in the heart of Africa. I do not think it is any part of our duty to take any notice of those things as a Government. I do not wish to lay down general rules, because events might happen which would set general rules at defiance; but I say that, as far as events have gone, there is nothing that would justify us in incurring the cost, the difficulty, and hazard of doing injustice, all of which evils we should incur in the search after results that we should be very unlikely to obtain. We are very unlikely to get at the truth, and we incur enormous risk of perpetrating injustice if we act on the imperfect information that we can obtain; and we must always remember that, while the principal actor —a very distinguished man, whose proceedings have first brought these matters to light—is not an English subject, the two men on whom the chief weight of those accusations has fallen have passed beyond the reach of all human jurisdiction. I think the noble Earl complained with respect to the time of the meeting of Parliament. He seemed to me to be very inconsistent. The last time we met was, I think, on the 11th of February. The noble Earl said that was much too late. Now we have met on the 25th of November, and yet the noble Earl says it is much too late. I fear the noble Earl will compel us to the somewhat Irish expedient of proceeding with the ensuing Session before the preceding Session has expired. The noble Earl, with a want of candour which is unusual in him, did not tell the House the real reason for the warmth of his feelings; he confided it to a meeting in the country, where he expressed the hope that Parliament might open a few days earlier in order that it might furnish materials for a speech. It was very cruel of us to disappoint the noble Earl, and I heartily sympathise with him, for I know of nothing more painful to a public man than that of having to make a speech and of having nothing to make it about. It is a lamentable position, however, in which all public men are sometimes placed, and it is one of the severest drawbacks to public life. But I must say that the noble Earl is a little exacting if he has not been able to make a speech out of all the events which have occurred during the last three weeks. I never remember a period in which more striking and powerful events have happened in a short space of time than the period which the noble Earl might have included in his survey. I do not understand the complaints of the noble Earl with respect to Ireland. He complains that the Chief Secretary should have beforehand said that Mr. Morley's evidence was worth nothing when Mr. Morley was going to give his evidence in a Court of Justice.

EARL GRANVILLE: It was not known at that time.

THE MARQUESS OF SALISBURY: Then, of course, the complaint falls to the ground. I quite admit that a witness should be protected in the way the noble Earl suggests, and that his evidence should not be discredited beforehand; but it is on the condition that he confines his testimony to the one proper and judicial use. If he uses his testimony for platform material, and takes the things which he is about to swear to in a Court of Justice as missiles to throw at the head of a political opponent, it is a little too much to expect that the political opponent will not say that the missiles are worth nothing. I understand the noble Earl to lay down the doctrine that when a politician has denounced his opponent with all the vigour which a wealth of vituperation and vigorous imagination can confer, and afterwards says the events are going to be the subject of evidence in a Court of Justice, then his political opponent, who is the victim of that proceeding, is to be compelled to admit that these accusations are unjust. I am quite sure the noble Earl would not like to undergo that ordeal himself. I do not quite apprehend the full nature of the noble Earl's objection to the Tipperary proceedings. He said something about their being injurious to the cause of law and order and conciliation, and so forth. It is difficult to speak of the Tipperary proceedings, because they were cut off, as it were, in mid-life by a strange event which happened to two of the defendants. There is always some difficulty with Irish leaders. Their strong point just now is escaping. Some prefer to escape by water; some prefer fire-escapes. But if we may pass from the personal part of the matter affecting those two distinguished men who are now exhibiting the tyranny of their country in America, I only wish the House to think for a moment of what this Tipperary business really is, and what crime it was of which those defendants were accused. It has been often said, and said most untruly, that we are stopping combination in Ireland while we do not stop combinations of working men who refuse to work in England. The comparison is an utter disfigurement of the truth, and is a great insult to the working men of England. The working men of England have combined to refuse to give that which they have a perfect right to refuse to give—their labour. The combination which has been compared with that combination, the combination in Ireland which goes by the name of boycotting, is a combination, not to give what a man has a right to give or to refuse at his pleasure—it is a combination not to pay just and honest debts—it is a combination to swindle, to steal. But these Tipperary proceedings are even worse than the ordinary combination to steal, if it is worse to combine to steal in order that you may oppress and coerce instead of combining simply to steal and to defraud; because the conspiracy for which these men have been condemned in Tipperary is this—they conspired not only to defraud a man of the debts to which he had a good right according to law, but they conspired to do so in order to punish him for exercising that which was undoubtedly his right—namely, buying an estate in another part of the country in open market. A more monstrous combination or conspiracy of coercion, tyranny, and dishonesty the annals of Irish disorder have not, I believe, produced. For that reason it was necessary that the prosecutions should take place. I do not deny for a moment that these prosecutions, if they could be avoided, are undesirable; but the first thing necessary is to maintain the rights of Her Majesty's subjects to possess their property and to exercise their avocations in Ireland, and, however long the process may go on, and whatever difficulties it may involve, you will never establish good government or restore prosperity in Ireland unless you rigidly determine to go on punishing by law those who conspire to commit frauds and to tyrannise over their neighbours. The noble Lord did not criticise the Bills which we have indicated in the Queen's Speech; he rather complained that we had not affixed to their names a general summary of their provisions. Such an arrangement would be inconvenient, impracticable, and might swell the Queen's Speech to an inconvenient size; and certainly I am unable to respond to his challenge when he suggested that I should now give an account of what these very complicated measures, which will be very shortly introduced, will contain. I will only say we entertain the hope that by increasing the number of those interested in the ownership of land in Ireland we may create a moral and political force which shall frustrate the efforts of future agitators to raise occupier against owner, and shall establish that balance of various interests in the midst of which every citizen may pursue his way and exercise his rights in peace.

THE EARL OF KIMBERLEY: My Lords, I think the noble Marquess has a little misunderstood the position which my noble Friend intended to take with regard to these recent events in Ireland —I mean the Tipperary prosecutions, the conduct of the police, and the other matters to which he referred. What my noble Friend intended, I think, to convey was this, and I thought he did convey it very clearly to the House, that this would not be a proper opportunity for discussing those matters, for this obvious reason: that many of them have still to come before a Court of Justice in Ireland. And although there are matters which could be very properly discussed, it is very obvious that once you introduced the discussion it would be very difficult indeed to draw distinctions between the different matters. For instance, the conduct of the police has been very much impugned. Concerning that matter I do not desire to express any opinion in this House. It will shortly be inquired into in a Court of Law, and I think there could not be a reasonably impartial and effective discussion upon it now. We ought, of course, to be entirely untrammelled in discussing these various subjects. No doubt they may be brought forward at a future time if an opportunity should arise, and if we should think fit to do so. I do not desire to add anything more on the present occasion, but I thought it right to say a few words, as the noble Earl said very little upon those subjects in his speech, and the noble Marquess has said little in reply. The noble Lord who seconded the Address very properly brought forward some interesting statistics, which I was glad to hear, with regard to the diminution of agrarian crime in Ireland. That must be a matter of satisfaction to us all, on whichever side of the House we may be; but he drew from that a conclusion which I thought dangerous. He implied from it that there is now political contentment in Ireland, and it appeared to me a very dangerous thing to measure political contentment by the amount of crime existing. It amounts to saying to the people, "If you do not commit crime you show that you are content with the political system under which you live." I am not for a moment arguing that the absence of agrarian crime is not a very favourable symptom, but I do urge that in a country situated as Ireland has been you should not connect contentment or agitation too closely with agrarian crime. Unfortunately these agrarian crimes have existed so long that we can hardly fix the date when they began. If you look back to the time before the Union you will find that agrarian crime was very rife. I am afraid it is much more due to what the noble Lord called "the perpetual contest or struggle that has gone on between the landowners and the tenants," than to the agitators, who have merely taken advantage of that unfortunate state of relations between the landlords and tenants in Ireland. I do not think, my Lords, there was anything else in the remarks which have been made on the present occasion which would make it necessary to add anything further.

LORD BRABOURNE: My Lords, the etiquette of your Lordships' House prevents a long Debate upon the Address such as usually takes place in the other House; and I should not have risen but for one circumstance which has occurred this autumn, and which, I think, we ought not to allow to pass without holding up to reprobation. We ought to earmark and stereotype in reprobation two lessons, which, for the first time in the history of this country, have been taught by an eminent statesman and leader of the Liberal Party. That statesman has deliberately told a portion of his fellow-subjects that if they had any love for their country and their family it was their duty to hate the law. That is one of the lessons which have been taught the public; and the other lesson taught by the same great leader is that there was no such thing as right and wrong in politics, but that it is the duty of a politician to ascertain on what side the majority is likely to be, and then to go with the majority without regard to principle. I think it would be a mistake if, on this first day of the meeting of Parliament, attention were not called to these new moral doctrines which, though they are taught by a leader of the Liberal Party, I venture to say are doctrines which will not be accepted by the people of this country at large, and which will not bring so much satisfaction even to those by whom they are taught as they seem to think possible. With regard to the business of the House, I would ask the noble Marquess what course of business will be proceeded with in reference to the matters which have been referred to, or whether your Lordships are to be troubled at present with any business at all?

THE MARQUESS OF SALISBURY: I can only say that the course of business will at present depend upon the action of this House. I do not know of any business which is likely to arise among ourselves before Christmas, but of course if there should be any we shall be glad to discuss it. I am afraid there is still less likelihood of any business coming to us from another place. I think, therefore, until we are further informed, it is not desirable that we should meet every day; and my proposal, which I have mentioned to the noble Earl, is that on rising to-day we should adjourn for Public Business to Tuesday next.

On Question, agreed to, *nemine dissentiente;* Address ordered to be presented to Her Majesty by the Lords with White Staves.

CHAIRMAN OF COMMITTEES.

The Earl of MORLEY—Appointed, *nemine dissentiente*, to take the Chair in all Committees of this House for this Session.

Lord Brabourne

COMMITTEE FOR PRIVILEGES—Appointed.

SUB-COMMITTEE FOR THE JOURNALS—Appointed.

STOPPAGES IN THE STREETS—Order to prevent, renewed.

APPEAL COMMITTEE—Appointed.

INTERMEDIATE SCHOOLS, &c., SITES BILL [H.L.], (No. 3.)

A Bill to afford further facilities for the conveyance of land for intermediate and other schools, and for market buildings: And

HARES PRESERVATION BILL [H.L.], (No. 4.)

A Bill to provide a close time for Hares in England, Scotland, and Wales:

Were presented by the Lord Stanley of Alderley; read 1ª; to be printed; and to be read 2ª on Tuesday next.

PRESENTATION TO BENEFICES BILL [H.L.], (No. 5.)

A Bill to make better provision for the exercise of the right of presentation to benefices in cases where the right is now exercisable by parishioners or others forming a numerous class: And

LICHFIELD CATHEDRAL BILL [H.L.], (No. 6.)

A Bill to Amend the existing statutory provisions respecting the canonries, prebends, and other ecclesiastical offices of the Cathedral Church of Lichfield:

Were presented by the Lord Bishop of Lichfield; read 1ª; and to be printed.

COPYRIGHT BILL [H.L.]

A Bill to amend and consolidate the law relating to copyright—Was presented by the Lord Monkswell; read 1ª; and to be printed. (No. 7.)

ARCHDEACONRY OF CORNWALL BILL [H.L.]

A Bill to amend the law as to the endowment of the Archdeaconry of Cornwall—Was presented by the Lord Steward (E. Mount-Edgcumbe); read 1ª; to be printed; and to be read 2ª on Tuesday next. (No. 8.)

House adjourned at a quarter past
Six o'clock, to Thursday next,
half past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, 25th November, 1890.

The House met at half after One of the clock.

MR. SPEAKER'S ABSENCE.

The House being met, the Clerk at the Table informed the House of the unavoidable absence of Mr. Speaker.

Whereupon Mr. Courtney, the Chairman of Ways and Means, proceeded to the Table; and, after Prayers, took the Chair as Deputy Speaker, pursuant to the Standing Order.

Message to attend the Lords Commissioners;—

The House went;—and having returned;—

NEW WRITS DURING THE RECESS.

MR. DEPUTY SPEAKER acquainted the House,—That Mr. Speaker had issued, during the Recess, Warrants for New Writs,—for South East Lancashire (Eccles Division), *v.* Honourable Alfred John Francis Egerton, deceased; for Universities of Edinburgh and St. Andrews, *v.* Moir Tod Stormonth Darling, esquire, one of the Senators of Her Majesty's College of Justice in Scotland.

CRIMINAL LAW AND PROCEDURE (IRELAND) ACT, 1887 (ARREST AND IMPRISONMENT OF MEMBERS).

Mr. DEPUTY SPEAKER acquainted the House that Mr. Speaker had received the following Letter relating to proceedings under "The Criminal Law and Procedure (Ireland) Act, 1887," against certain Members of this House:—

Limerick,
24th Nov. 1890.

Sir,

I have the honour to report for your information that, on the 18th Sept. 1890, Mr. John Dillon, M.P., and Mr. William O'Brien, M.P., were arrested on Warrants charging them, 1st, with taking part in a criminal conspiracy; 2ndly, with using intimidation; and 3rdly, with inciting to intimidation, as defined in the second section of the Criminal Law and Procedure (Ireland) Act, 1887, and were on same date brought before me at Tipperary, when each of them was admitted to bail to appear at Tipperary Petty Sessions, on the 25th of same month, to answer to the said charges, which they accordingly did; but on the 10th October following, they failed to appear at the sitting of the Court, and have not since been made amenable.

I have also to inform you that Mr. Patrick O'Brien, M.P., was arrested on the 23rd September 1890, on a warrant charging him with similar offences, and was brought before me, at Tipperary Petty Sessions, on the 25th of same month, and was admitted to bail to answer to the said charges. I have to add that, at Clonmel, on the 19th instant, at an adjourned hearing of these charges, he was convicted by a Court duly constituted under the said Criminal Law and Procedure (Ireland) Act, 1887, of taking part in a criminal conspiracy, as defined in the second section of the said Act, and was sentenced to be imprisoned in the County Gaol at Clonmel for a period of six months without hard labour, and was committed on the same date to the said gaol for the said period.

Mr. Thomas J. Condon, M.P., was also arrested on the 25th Sept. 1890, on a warrant charging him with similar offences, and was similarly admitted to bail on the same date. The charges against him were dismissed on the merits at Clonmel, on the 19th instant.

I have the honour to be,
Sir,
Your most obt. servant,
J. B. IRWIN, R.M.,
Chairman of the Court

The Right Honourable A. Peel, M.P.,
Speaker, House of Commons.

ELECTIONS.

Ordered, That all Members who are returned for two or more places in any part of the United Kingdom do make their election for which of the places they will serve, within one week after it shall appear that there is no question upon the Return for that place; and if anything shall come in question touching the Return or Election of any Member, he is to withdraw during the time the matter is in debate; and that all Members returned upon double Returns do withdraw till their Returns are determined.

Resolved, That no Peer of the Realm, except such Peers of Ireland as shall for the time being be actually elected, and shall not have declined to serve, for any county, city, or borough of Great Britain, hath any right to give his vote in the Election of any Member to serve in Parliament.

Resolved, That it is a high infringement of the liberties and privileges of the Commons of the United Kingdom for any Lord of Parliament, or other Peer or Prelate, not being a Peer of Ireland at the time elected, and not having declined to serve for any county, city, or borough of Great Britain, to concern himself in the Election of Members to serve for the Commons in Parliament, except only any Peer of Ireland, at such Elections in Great Britain respectively where such Peer shall appear as a Candidate, or by himself, or any others, be proposed to be elected; or for any Lord Lieutenant or Governor of any county to avail himself of any authority derived from his Commission, to influence the Election of any Member to serve for the Commons in Parliament.

Resolved, That if it shall appear that any person hath been elected or returned a Member of this House, or endeavoured so to be, by bribery, or any other corrupt practices, this House will proceed with the utmost severity against all such persons as shall have been wilfully concerned in such bribery or other corrupt practices.

WITNESSES.

Resolved, That if it shall appear that any person hath been tampering with any Witness, in respect of his evidence to be given to this House, or any Committee thereof, or directly or indirectly hath endeavoured to deter or hinder any person from appearing or giving evidence, the same is declared to be a high crime and misdemeanour; and this House will proceed with the utmost severity against such offender.

Resolved, That if it shall appear that any person hath given false evidence in any case before this House, or any Committee thereof, this House will proceed with the utmost severity against such offender.

METROPOLITAN POLICE.

Ordered, That the Commissioners of the Police of the Metropolis do take care that, during the Session of Parliament, the passages through the streets leading to this House be kept free and open, and that no obstruction be permitted to hinder the passage of Members to and from this House, and that no disorder be allowed in Westminster Hall, or in the passages leading to this House, during the sitting of Parliament, and that there be no annoyance therein or thereabouts; and that the Serjeant at Arms attending this House do communicate this Order to the Commissioners aforesaid.

VOTES AND PROCEEDINGS.

Ordered, That the Votes and Proceedings of this House be printed, being first perused by Mr. Speaker; and that he do appoint the printing thereof; and that no person but such as he shall appoint do presume to print the same.

PRIVILEGES.

Ordered, That a Committee of Privileges be appointed.

OUTLAWRIES BILL.

"Bill for the more effectual preventing Clandestine Outlawries," read the first time; to be read a second time.

NEW MEMBERS SWORN.

Sir Charles John Pearson, knight, for the Universities of Edinburgh and St. Andrews; Henry John Roby, esquire, for South-East Lancashire (Eccles Division).

JOURNAL.

Ordered, That the Journal of this House, from the end of the last Session to the end of the present Session, with an Index to the 146th Volume, be printed.

Ordered, That 750 copies of the said Journal and Index be printed by the appointment and under the direction of Reginald Francis Douce Palgrave, esquire, C.B., the Clerk of this House.

Ordered, That the said Journal and Index be printed by such Person as shall be licensed by Mr. Speaker, and that no other person do presume to print the same.

LIGHTHOUSE ILLUMINANTS (SOUTH FORELAND EXPERIMENTS).

Copy ordered—

"Of further Correspondence on the subject of the Report made in 1885 by the Trinity House on the South Foreland Experiments on Lighthouse Illuminants, together with a Report from the President and two Fellows of the Royal Society to the President of the Board of Trade (in continuation of Parliamentary Paper, No. 60, of Session 1889).—(*Sir Michael Hicks Beach.*)

Copy presented accordingly; to lie upon the Table, and to be printed. [No. 2.]

NOTICES OF MOTION.

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): Bill to provide further funds for the purchase of land in Ireland, to make permanent the Land Commission in Ireland, and to provide for the improvement of the congested districts; also a Bill constituting the Land Department, and to amend the laws relating to the purchase of land in Ireland.

THE PRESIDENT OF THE BOARD OF TRADE (Sir M. HICKS BEACH, Bristol, W.): Bill to make better provision for the recovery of tithe rent-charge in England and Wales.

THE LORD ADVOCATE (Mr. J. P. B. ROBERTSON, Bute): Bill to amend the procedure in regard to Private Bills relating to Scotland.

QUESTIONS.

THE EMIN PASHA RELIEF EXPEDITION.

MR. CREMER (Shoreditch, Haggerston): I beg to ask the First Lord of the Treasury whether the attention of the Government has been called to the revolting charges which have been made against the members of the Emin Pasha Relief Expedition; whether any of the persons charged with such barbarous conduct held commissions as officers in the Army; and whether the Government are prepared to appoint a Commission of Inquiry or to take any other steps to ascertain the truth of the extraordinary statements which have been so freely made?

*THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): The Government are aware that very grave charges of the nature indicated have been made against members of the Emin Relief Expedition, notably against two who are dead, and incapable of answering for themselves. One of these gentlemen held a commission in the Army; but the Government were in no sense responsible for his selection as one of the staff of the expedition, or for the expedition itself. It is not, therefore, the intention of the Government to appoint a Commission of Inquiry.

BUSINESS OF THE HOUSE.

*THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): I think it may be for the convenience of the House that I should at once indicate in general terms the arrangements the Government intend to propose in regard to the Business of the House during the course of the present Session. Obviously it would be most unfair to hon. Gentlemen if proposals were made at a later stage which interfered with the arrangements for Bills of which they may give notice. The Government feel that in asking the House to meet at this period of the year they are exposing hon. Members to inconvenience which is only to be justified by the urgent necessity of passing the important measures of which my right hon. Friends have given notice. Under these circumstances, the Government think it will be for the convenience of the House that the whole time of the House shall be taken for the consideration of those measures until they have passed the stage of Second Reading and the Speaker is out of the Chair. The measure dealing with the anticipated distress in Ireland, to enable Railway Companies in existence to construct or take over proposals for the construction of railways in the congested districts of Ireland, we desire the House to consider before the Christmas Recess. As soon as the House has made progress in the direction I have indicated, the Government will be glad to meet what they believe will be the desire of the House—that is, adjourn for a reasonable holiday till after Christmas. I propose to move the Resolution for time as soon as the Address has been disposed of.

*MR. LEA (Londonderry, S.): Will the First Lord of the Treasury state when he will move the Resolution giving Bills which have attained certain stages precedence over other Bills? That has usually been done at Whitsuntide; but as Parliament is now meeting earlier than usual, I should like to know if it is intended to bring the Standing Order on the subject earlier into operation.

*MR. W. H. SMITH: The hon. Gentleman did not give me notice of this question, and I have had no opportunity to consider it; but I think, if he looks at the almanac, Whitsuntide comes earlier next year than usual, and the matter is not, therefore, quite so urgent as he suggests. Any Bill to secure precedence has to be read a first and second time, and therefore the choice of facilities depends greatly on good fortune in the Ballot.

*MR. LEA: But we must to-morrow fix the date for the Second Reading, and it is of no use choosing a date after the Standing Order is to come into force.

*MR. W. H. SMITH: I think the hon. Gentleman will find, if he has the misfortune to be placed so low down in the Ballot as not to get a Second Reading till then, that he is hardly likely to get the subsequent precedence which he desires.

SIR W. LAWSON (Cumberland, Cockermouth): What arrangement has been made for bringing in the Bills to-morrow? Will it be before the resumption of the Debate or after an early adjournment?

MR. CREMER: I should also like to ask for information as to the probable duration of the Christmas Recess? Will the House re-assemble about the middle of January, or at the end of the month?

*MR. W. H. SMITH: In reply to the hon. Baronet, I think it will be for the convenience of the House that an adjournment of the Debate should take place to-morrow shortly after 4 o'clock —[*Opposition cries of* "Three o'clock!"] —well, half-past 3, which is, I think, the usual course. With regard to the hon. Member's question as to the Christmas holidays, he will see that their duration must to a considerable extent depend upon the progress of business. I should hope that the progress I have indicated may be obtained, and, in that event, I should propose that the House re-assemble about the end of the third week in January—that is, about the 22nd.

QUEEN'S SPEECH.

MR. DEPUTY SPEAKER reported Her Majesty's Speech delivered by Her Chancellor (see page 2), and read it to the House.

ADDRESS IN ANSWER TO HER MAJESTY'S MOST GRACIOUS SPEECH.

(5.40.) COLONEL KENYON-SLANEY (Shropshire, Newport) (who was attired in the uniform of a Lieut.-Colonel of the Guards): Mr. Deputy Speaker, on the few occasions on which I have myself been present at the proceedings at the opening of Parliament I have noticed that the Mover of the Address has, almost without exception, asked for the indulgence of the House on the score of his not having addressed it before. Sir, I cannot lay any claim exactly to such a right to lenient consideration, but I would assure the House that it is in no spirit of self-reliance—it is in the full consciousness that I have nothing to trust to but the general forbearance of the House—that I rise to perform this duty which has been allotted to me. But I think I should be out of harmony with the feelings of every Member of this House if I did not take the first possible opportunity of referring to the reason why I have to address you, Sir, as the Deputy Speaker rather than Mr. Speaker himself. I think we all feel in this country that there is something in domestic sorrow that is so sacred that we almost hesitate to apply public reference to it. But I feel that I am on sure and safe ground when I say that the sincerest sympathies of every Member of this House are with the Speaker in the severe ordeal through which he is now passing, and that our warmest and heartiest hopes are extended to him that he may soon be relieved from the cloud at present darkening his house. If I may now refer to that duty to which I alluded—I have the honour of proposing to this House a resolution, different somewhat in terms from those previously moved on these occasions, and I think the House will acknowledge that this innovation is justified when it reflects that in recent times there has resulted from the previous practice considerable waste both of the time and the talents and the temper of the House. And this change has been foreshadowed by such high authorities as have spoken on this subject in years gone by. I may remind the House that as long ago as 1879 the right hon. Gentleman the Member for Mid Lothian used these words:—

> "If the speech itself is to be made the subject of lengthened and renewed debate and diversified amendment in this House it will become no better than a public nuisance, and it will be for the advantage of the country that it should be wholly discontinued."

I trust I may be allowed to express a hope that the experience of a past Session will not be repeated, and that under the influence of the comparatively simple Resolution with which it will be my duty to conclude my speech, this House will be able to proceed with as little loss of time as possible to the consideration of those important subjects of legislation which are to be proposed to it. In doing so it may well feel assured that it is doing its duty to those whom it represents here. Her Majesty in the Most Gracious Speech which she has addressed to us from the Throne refers to the existing state of her foreign relations, and I think that it will be with interest and satisfaction that we learn that negotiations have commenced with the King of Italy, and we shall look forward with hope to the speedy settlement of those negotiations, remembering as we do the friendly interest that this country has always taken in Italy, and the valuable example she now shows to us of the great value of close unity between all sections of the dominions of the King. Then, Sir, we may join in regret that His Majesty the King of Portugal has not yet been able to consent to the Treaty which was signed on the 20th of August; but I think we may look hopefully forward to the fact that the manner in which these negotiations were conducted will bring the question to a speedy and satisfactory solution. So far as this country is concerned, no doubt the negotiations will be conducted in a generous though firm spirit; and, as regards Portugal, we may hope that she will look back to the time when, if it had not been for British help and British alliance, for the leadership of British generals, and the gallantry of British soldiery, it would hardly have been that Portugal would have retained its place on the map of Europe. I think that the outcome of all these foreign relations must be essentially satisfactory to the country. They breathe an atmosphere of absolute peace, and, considering we are a nation to whom peace is of such intense value, I think we shall recognise with pleasure and with satisfaction the terms in which Her Majesty is able to refer to assured and continued peace in her Speech. And the satisfaction will not diminish because we feel that that peace has not been secured by any timorous concession, but by a policy of resolute and determined maintenance of the rights and dignity of this country, coupled as it always has been with a generous acknowledgment of the rights and ambitions of neighbouring nations. Her Majesty, in passing from the question of her relations with Foreign Powers, informs us that the Estimates for the ensuing year have been prepared with due regard to strict economy. On that point I have only to observe that I hope and trust that though the strictest economy may be—and ought to be—observed, yet that efficiency will be still more observed than economy. I hope and trust that this country will never consider that simple economy is the great aim and object of the Estimates, but that it will look rather to such a use of the funds and reserves of this country as will ensure durable, permanent, and satisfactory results. Her Majesty passes from the preparation of the Estimates to a reference to the existing condition of affairs within her own dominions, and I believe that all of us who can take a fair and dispassionate view of these matters will be able to echo and endorse the words in which Her Majesty refers to the general condition of Ireland. We learn that in Ireland a sensible improvement has taken place under the operation of the salutary legislation which has been applied to it. Comparing the year 1890 with 1886 I find that the general condition of Ireland presents these rather striking facts:—In 1890 there were 5,467 fewer paupers, there were 1,488 less indictable offences, 847 fewer committals, 394 fewer summary convictions, and 4,749 less people boycotted. There was £772,000 more in the Post Office Savings Bank, £2,796,000 more in the Joint Stock Banks, and an increase of £246,000 in railway receipts. The agrarian outrages were fewer by 292. This seems to me the shortest and simplest way in which to draw the attention of the House to the absolute accuracy of the words used in the Queen's Speech, and the fair description they give of the condition of Ireland. I hope I shall not be travelling too far beyond the limits assigned to me if I remind the House that in 1880 the right hon. Gentleman the Member for Mid Lothian, at Mid Lothian, referred to an absence of crime and outrage in Ireland "such as is unknown in the previous history of Ireland." Well, at the time the right hon. Gentleman used these words, I find that there was an average of 32 agrarian outrages every month in Ireland, and of 39 threatening letters. This year I find the agrarian outrages have fallen to an average of 24 per month, and the threatening letters to an average of 17 a month. I would only point this out that, if the right hon. Gentleman is going to verify the prophecy which he has lately addressed to the country—if it is correct that in a more or less short time he is to be returned at the head of a majority of this House—I think it will be the first duty he will have to discharge to give to the Administration which has preceded him a certificate couched in even warmer terms than those he found himself obliged to use in 1880. At all events it will be some satisfaction to us to know that under our administration such a state of things has been arrived at as will extract from the right hon. Gentleman such a certificate. I notice that Her Majesty, in pursuing her review of the existing condition of things in Ireland, brings to our attention the fact that she has learned with deep regret of the existence of a serious deficiency in the potato crop in certain parts of Ireland, and it threatens a recurrence of one of those periods of severe distress to which the West of Ireland is peculiarly exposed. There is not a thinking man in this House who will not learn this with the deepest regret, but at the same time I hope, though I do not wish for a moment to minimise the importance or the seriousness of this distress, still I may express a hope that it is not so widely spread as has been supposed. But whether the districts be broad or be narrow, whether large or small, I think it is a matter of satisfaction to find that the Executive are awake and ready to deal with it, and that they will not be slow to apply such measures as will reduce the distress which is here indicated. I hope that the construction of railways, and the opening up of the country by them and other means, will in itself furnish considerable employment for the poor of those districts. I will also express the hope that in whatever form relief may be given it will not be in the form of pauperising alms, but by supplying work of such a nature that the men in the country can get a good day's wage for an honest day's work, and that by honest industry on relief works they will be tided over the time of distress, and will be enabled in due course to return to their own industries, fortified and assured by the fact that, as long as England has the power and the right to help her, Ireland will never be left in the lurch in time of trouble. The Queen's Speech next alludes to those measures of legislation which it is thought most rightfully and usefully can occupy our attention, and we find in the forefront of the programme that the Irish Land Bill will again be introduced. I think we shall look with great satisfaction and great pleasure on the fact of the re-introduction of this measure. I am glad to see that the second phase in the programme of remedial legislation is likely so soon to be reached. I think that all of us who study or take an interest in this subject must acknowledge that the question of the dual ownership of the land is one that requires immediate attention in restoring contentment in Ireland. Whatever may be our feelings on this subject, we may congratulate ourselves that the first page in that remedial legislation—the restoring of order and the supremacy of the law—has taken place, and that there is now room to deal with the Land Question, and so bring us to the time when we can proceed with the granting of Local Government, the Bill for which is ready, and which needs only sufficiency of time to become a practical and accomplished measure. I hope this Bill will also deal in some measure with the question of the congested districts in Ireland. I hope that whatever is done for Ireland there will be no disposition on the part of English Members to be niggardly and too parsimonious in the way in which she is treated. I hope that, through English Members, Ireland will receive not only justice, but generous justice too. With regard to this Bill, I think it is of considerable interest that a great authority amongst the Irish people should refer to it in the terms which Sir Charles Duffy used in a letter to Archbishop Croke a month or two ago. He said—

> "I am persuaded that if a native Prime Minister submitted to an Irish Parliament in its first Session a Bill framed on the same lines, it would be received with a burst of national enthusiasm. The measure aims to turn the Irish tenant into an Irish proprietor without subjecting him to a single unfair or burdensome condition. How is it possible to get anything better than this from any Legislature till the crack of doom?"

I feel that if the question is approached in a cordial spirit by the representatives of England and Ireland, a happy solution of this vexed question will be arrived at, and Ireland will be landed in a position of greater contentment and security. The next measure to which our attention is drawn is a pro posal for remedying a difficulty which has arisen through the indirect incidence of tithe rent charge upon land in England and Wales. I may express my humble hope that the measure to be introduced will certainly simplify the recovery of the tithe rent-charge, and I hope it will have the effect of removing friction, especially in Wales. I hope it will have the effect of doing justice to those clergymen who undoubtedly have had hard times, and have had reason to complain perhaps of the delay and hesitation as to legislation on this matter. Then as to the question of facilitating the Private Bill legislation in Scotland and Ireland, I think that will be very favourably received by both sides of the House. It will be, I presume, in the direction of relieving Parliament from some of those matters which can be better dealt with elsewhere. I hope all of us who are in earnest about making Parliament a useful institution will be glad to see that relief given, and those duties discharged where they can be discharged better perhaps than within these walls. The next paragraph invites our attention to the expediency of alleviating the burden which the law of compulsory education has imposed in recent years on the poorer portion of the people. This subject, I think, will be received by the country with great relief and great gratification. I think it has been felt that the time has come, or is at all events close at hand, when a measure in this direction would be acceptable, would be just, and most properly be looked for by the people of this country. I hope this measure will be one of real relief to the working classes, whether in town or country. I hope it will be a measure which will act advantageously upon the great question of education. I think there are many men in this House who look to the spread of education for the solution of some of those problems which legislation cannot, perhaps, so well deal with. Therefore, I hope, we shall find a very general support to a measure which has this for its object. There can be no question that the State will gain in proportion as the population within the State are better educated, and are free from the dangers which necessarily attend a want of education. I may also express a hope that in one or two particular points this measure will produce a great relief. I believe that with respect to the large towns the fact that there will no longer be the difficulty as to the payment of fees will bring about most certainly a much larger attendance of the children of the poor, and in other districts I hope one result will ensue, namely, the relief of parents unfortunately unable to pay the school fees from the painful necessity of applying to a relieving officer for the payment of those fees. I trust the parents will be relieved from a position which I know some of them feel most acutely, and that the children will be relieved from the taint of pauperism, which undoubtedly is a serious drawback to them, and militates greatly against the cause of education. These are the main measures to which our attention is specially invited. A list of contingent measures is shadowed forth, in many of which I take the keenest personal interest, but if the time of Parliament is not sufficient to enable us to reach them all, at least I think I may claim that in the proposals to which I have alluded there is an ample field for the useful spending of all the time which will be at our disposal between now and that holiday which we shall hope to reach some time in the conrse of the approaching summer. Without further reference to these contingent measures, I beg to be allowed to again centre and focus the attention of the House to those main and chief measures to which I have mentioned to allude. If this programme is brought to a completion, I do not think there is one earnest man in this House who would deny there would be undoubted advantages conferred by it upon the people of England, Ireland, Scotland, and Wales. If hon. Members will take a short review of the position I hope they will recognise that there is no reason whatever why this programme should not be accomplished in its entirety, and why these measures should not all find their place upon the Statute Book. We, on this side of the House are most anxious to pass them. I can hardly believe that even those who are in opposition to us on many measures can seriously wish to oppose us on these. I have yet to learn that opposition in this House must be conducted on the principle of refusing support to good measures because they come from your opponents. I have yet to learn that measures which are acknowledged to be for the good of the people are not to be accepted because they are brought in by a Government to which a minority of this House is opposed. Another thing I would venture to point out to that Opposition, if it is not impertinent of me. Surely, it would be for their advantage that these measures should be passed after full and due consideration. If the time is coming when they are again to be at the head of affairs, and again to form the Government of the country, surely it would be better for them that these great questions should be cleared out of the way, and that the course should be open to them for other matters which they will think it their duty to bring forward. What is to stand between us and the completion of these hopes? What is to stand between us and the accomplishment of these measures of legislation? I almost hesitate to refer to that which alone, it seems to me, does stand between us. If I am correct, as I know I am, in saying that on this side of the House there is an earnest desire to pass these measures—if I am correct in saying that in the minds of many, if not most, of our opponents, there is also a wish to give these measures fair play—what is it stands between us and their accomplishment? We had last Session, unfortunately, practical experience of what is meant by the word "obstruction." I regret very much that obstruction seems now to be, to a certain extent, the adopted and avowed policy in some quarters. I think that those quarters in which it is adopted are making a very grave error. I think it is the gravest mistake public men can possibly make to confuse notoriety with reputation. In inveighing against obstruction, in pointing out the dangers which obstruction opens up before us, I do not wish for a moment to suggest that there should not be the fullest and amplest criticism of all measures proposed to us. I do not say the Opposition should not probe to the uttermost the rights and wrongs of any matter proposed from these Benches; but what I do urge as worthy the attention of the House is that there should not be constant repetition of the same arguments, and there should not be recourse, under any circumstances whatever, to dilatory or obstructive motions proposed simply with the object of postponing legislation. If this danger is before us, if I am correct in thinking there is a possibility of being confronted by this danger, how can we best overcome it? I believe it has not passed the wit of man to devise measures by which the rights of majorities would be vindicated just as certainly as the rights of minorities would be safeguarded. I would myself infinitely prefer, and I believe the House would prefer, that this danger may be obviated by other means and other methods. There are some other influences in this House to which, if I dare, I would venture to appeal. The right hon. Gentleman the Member for Mid Lothian (Mr. Gladstone) holds a place in this country of enormous and exceptional greatness. We on this side of the House freely acknowledge that the right hon. Gentleman is great by virtue of his experience, by virtue of the many times which he has been at the head of the affairs of this country. He is great by reason of those talents in which every one of us on this side of the House take a personal pride as well as you on the other side of the House. He is great by virtue of his position as leading that composite Party opposite. If I may venture to say so, he has not only the power which that position gives, but he has also the responsibilities which that position entails. I would appeal to him, and appeal also to others whose names are already written in large type on the pages of the history of this country, I would appeal to those who are now our leaders and captains in the political combat, I would appeal also to those on both sides of the House who are already marked by the ability they have shewn as being the inheritors of the political future, and who in days to come will be the guides and guardians of the public life of this country, just as those to whom I have alluded are at the present moment—I would appeal to them, and I would appeal to yet another section of the House represented on both sides, I would appeal to those who, like myself, have no personal position in this House, no wish to attract any personal attention to themselves, who have no claim to personal distinction whatever, but who are here contrary to their inclinations, discharging duties often irksome and wearisome, not because they have any liking for them, but because they felt bound to yield to the old English feeling that a man must not shirk his duty if the call comes to him from his own country to undertake any task however personally disagreeable. There are many such men on both sides of the House. We have no great power, and no very great influence, but what we have I hope and trust we shall use in support of those more potent powers to which I have referred. I hope we shall use it in the direction of disarming the bitterness with which our debates are sometimes conducted. I hope we shall use it in supporting and backing up the course which I hope other and more powerful minds will indicate to us. I trust if all these influences can be diverted into the same channel, we shall be enabled to treat as of little account those threats of obstruction which have reached us from certain quarters, and I hope we shall then be able to leave them to the oblivion which they merit, and the insignificance which they deserve. If in this spirit we can approach the legislation of the Session, I do earnestly believe we shall be able to accomplish legislation for which the country will be very grateful to all its representatives, and I believe that if the country will be grateful to its representatives, we as the representatives, shall be justified in expressing our gratitude to Her Majesty for the prescience and the wisdom with which she has directed our attention to those particular points which form the programme to which I have alluded. I thank the House for the courtesy and forbearance with which it has listened to me.

Motion made, and Question proposed, "That an humble Address be presented to Her Majesty, as followeth:—

"Most Gracious Sovereign,

"We, Your Majesty's most dutiful and loyal subjects, the Commons of the United Kingdom of Great Britain and Ireland, in Parliament assembled, beg leave to thank Your Majesty for the Most Gracious Speech which Your Majesty has addressed to both Houses of Parliament."—(*Colonel Kenyon-Slaney.*)

*(6.20.) MR. FORREST FULTON (West Ham, N., who wore Court costume): Mr. Deputy Speaker, Sir, a distinguished British statesman once said that the greatest British interest was peace. I concur with my hon. and gallant Friend who has just spoken that it ought to be a subject of general congratulation to every loyal subject of the Queen that Her Majesty's Government have been enabled to again announce in the Speech from the Throne (I think for the fifth year in succession) that peace reigns throughout her vast dominions. So, too, it cannot fail to be a source of satisfaction to the House to learn that the general condition of Ireland has sensibly improved, but that satisfaction is greatly marred by the announcement that severe distress is likely to fall upon the population of the western counties owing to the failure of the potato crop. The problem presented by the congested districts in Ireland has baffled the wisdom of successive generations of statesmen. It is not a question of rent, because I think all alike are agreed that if these poor people were to receive to-morrow a gift of the fee-simple of their homesteads the problem would still remain as insoluble as ever. There are to me few things so strange in the history of mankind as the desperate tenacity with which the Celtic people of Connemara and Donegal cling to their barren homesteads, swept as they are by the ever-recurring storms of the wild Atlantic and saturated by the perpetual moisture of an unkindly climate. Periods of severe distress must needs recur as long as the population of those districts continues so greatly in excess of the possibilities of the soil to provide for them, and as long as they continue to depend upon an uncertain and precarious exotic as the staple article of their food. It is to be hoped that the measures which are to be submitted for the consideration of the House of Commons may be conceived in a broad and statesmanlike spirit, may meet with general approval, and may tend not only to alleviate the temporary distress, but to remove the permanent evil. A measure having for its object the increase of the number of occupying owners in Ireland is to be laid before Parliament. Upon the general principle of such a measure all parties are agreed; it is embodied in

the Bright clauses of the Land Act of 1870; it has been twice affirmed by Parliament in what are known as the Ashbourne Acts, and it is, of course, recognised in the comprehensive scheme dealing with the question of land purchase in Ireland introduced by the right hon. Gentleman the Member for Mid Lothian in 1886, and again last Session, when the Government Land Bill was read a second time without a Division. If, then, the principle is one on which all are agreed, surely the wisdom of Parliament ought to be able to devise a *modus vivendi* in matters of detail, and so secure the passing of a measure which, in the language of the Speech from the Throne, is

> "Likely to lead to an increase of contentment and the diminution of political disturbance throughout Ireland."

There is one part of what I may call the positive portion of the Speech from the Throne to which my hon. and gallant Friend has not referred. It is the proposed measure for facilitating the transaction in Scotland and Ireland of the more important stages of private legislation affecting those countries. No one can doubt that the present system is both costly and inconvenient, and it is to be hoped that the new proposals may meet with general approval. There is no portion of Her Majesty's Speech which affords more food for reflection than that which introduces what I may describe as the contingent portion of the Speech. All the subjects included in this contingent portion are important, and many of them are urgent. It is of the utmost importance that an Act should be passed reforming the system of County Government in Ireland upon principles similar to those which have proved so satisfactory in England and Scotland; it is desirable that the Local Government of those latter countries should be perfected by the establishment of District Councils, and that increased facilities should be given for the acquisition of small parcels of land in Great Britain. The remaining subjects which are referred to are of an even more urgent character and are certainly of vital moment to the wage-earning classes —I mean the amendment of the law of employers' liability, the consolidation and improvement of the law relating to the public health, and, above all, the encouragement of thrift amongst them by increasing the stability of Friendly Societies and Saving Banks. It is indeed strange that there should be any doubt at all that measures apparently so non-contentious should be passed into law. I echo the hope that we are about to enter upon a new era, that the universal desire for information so apparent in previous Sessions may prove less general and less inquisitorial, and that the stern sense of public duty which has hitherto impelled some hon. Members to the frequent delivery of long, eloquent, and discursive orations may be lulled to rest. In the closing words of Her Majesty's Most Gracious Speech the duties assigned to us are described as arduous. Doubtless they are so, but their arduous character might be greatly diminished, if not altogether removed, if the House of Commons could be induced to approach the consideration of the several measures which are foreshadowed in Her Majesty's Most Gracious Speech in a critical, yet a generous and conciliatory, spirit—measures which I firmly believe, if passed into law, will greatly tend to promote the welfare, the happiness, and the prosperity of the people. I beg to second the Address which has been moved by my hon. and gallant Friend.

(6.30.) MR. W. E. GLADSTONE (Edinburgh, Mid Lothian): I think that my first duty on the present occasion is one that will find an echo—that the words I shall use in relation to it will find an echo in every breast. The language employed by the hon. and gallant Gentleman who moved the Address was received by the House in a manner which not only well justified him in the course which he took, but must assure the right hon. Gentleman who fills with so much dignity and effect the Chair of this House that he has our deepest sympathy in the heavy trial which he is now undergoing. The hon. and gallant Gentleman who moved the Address of thanks and the hon. and learned Gentleman who seconded it have both of them abundantly proved their capacity for the discharge of the important duties committed to them by the Government. They approached the Motion for the Address in an attitude different from that which has been assumed by Movers and Seconders upon former occasions; but I do not intend at the present moment to discuss the change which has been made on the advice of the Government in the form in which the House is invited to consider the Gracious Speech from the Throne. I will only observe that it appears to me that the assumption that no Amendment can be moved to the Address excepting a single Amendment may be found to have an effect that will become perceptible in the tone of the speeches of the Mover and Seconder—that is to say, the effect of giving to them a more warmly laudatory character towards the Government and the measures to be introduced than has been customary on former occasions. I do not know that that will be a very great evil, but that, I think, is one amongst the contingent results of the change that has been adopted. Some words of mine have been quoted on the subject of the Debate on the Address, and I do not question their accuracy, nor do I wish to recede from the sentiments they were intended to express. I think that the prolongation of Debates on the Address has been the cause of great public inconvenience, and before I sit down I hope to say a word or two on the subject. As for myself I have for a long series of years done my best to expedite the proceedings of the House on the Address, and I am of opinion that in the absence of very grave and serious issues, of a vital or broad character, regarded as being fraught with vital consequences by a large portion of the House, it is well that we should take most serious note indeed of the contents of the Speech that Her Majesty may be advised to address to us, but that we should not make its topics the subject of prolonged consideration and debate at that stage. On that principle I have acted myself, and I ought to act upon it upon the present occasion, but I am bound to say that I take that course under difficulties considerably enhanced in consequence of the notice given by the leader of the House to ask for the time of the House until a stage has been reached in the prosecution of certain important measures, or rather groups of measures. I shall, however, go over the topics of the Speech in a manner which I hope will not tend to give rise to the prolonged discussion which I have on former occasions regarded as in the nature of public inconvenience. As usual, the Speech begins by a general reference to the peace of Europe, which, I think, is not a subject upon which it is possible to enter with edification in any detail. We are then informed of several matters, the first relating to certain negotiations with the King of Italy, the second relating to negotiations with Portugal, and the third relating to negotiations on the Newfoundland fishery question, all of which I may compress and bracket together in a single observation. We shall seek no opportunity of captious criticism upon any of these subjects, and we shall give credit to the Government for its good intentions, and even for its performances, until we find cause to question them upon serious and practical ground. But I will notice one or two subjects which do not appear in the paragraphs of the Speech. Nothing is said upon the subject of the question which has arisen with America in regard to the Behring Straits. I take it that I may assume on that account that nothing is in the mind of the Government of a menacing or formidable character, nothing that is likely to interfere with the maintenance of the most friendly relations with that great people of our own blood and kin on the other side of the Atlantic. I intimate no misgiving on the subject; I suggest, on the contrary, that my assumption is the just inference from the silence of Her Majesty's Gracious Speech on this topic, and possibly it may be confirmed by some brief words from the leader of Her Majesty's Government. There is another matter of a painful character which I do not feel able to pass by in silence, although I have no intention of making it a subject of censure upon the proceedings of the Government. I do not say that it was their duty to introduce into the Speech from the Throne on this occasion any notice of the deplorable proceedings which from time to time, and at rather short intervals, we are compelled to take notice of in certain portions of the Turkish Empire. But these events make a deep impression upon the heart and mind of the people of this country, and it is certainly right—I will not say now for Ministers—but it is certainly right for independent Members of Parliament to speak of them in such a manner as will tend to convince the Ottoman

Government that if that Government attaches any value whatever to the moral support or sympathy of this country, it has need to take more care than it has hitherto shown in order to convince the people of this country that that sympathy, if granted, would not be thrown away upon unworthy subjects. I confine myself to expressing an earnest hope that the Government will lose no opportunity which their just influence in Europe may secure for them, either of representing the true state of the case to the Ottoman Government, or of endeavouring to produce, if need be through the influence of other Powers as well as of this country, some impression upon the mind of that Government that may tend to bring about a better state of things and to destroy the force of that unhappy belief that I think the people of England think themselves compelled to entertain from painful experience that the professions, the general declarations, of the Porte with respect to the condition of the people are really of no value, and that nothing but acts of a positive and definite character can avail to inspire into the mind of this nation any desire or disposition whatever to attach value to the continuance of the Ottoman rule in those regions. I am sure there is no disposition unfriendly to that rule; but the desire of the people of this country, I think, is that that rule should be made tolerable to the people over whom it is exercised, so that it may have some promise of permanence in itself and may avoid, without offence to the conscience of Europe, of which of late there has been so much. I do not expect or demand too much from the Government, but I think it might be possible for them to assure the country of their sympathy in desiring that good government and lamenting that it does not exist. Beyond that I do not go. I feel that there is strong objection to threats that are not likely to be fulfilled, and a loss of self-respect in continually addressing persuasive representations to a Power which you have good reason to believe regards them as so much waste paper or wasted breath. Therefore I think it is desirable that it should be understood that a strong feeling prevails in this country as to the circumstances which are from time to time brought to our notice. I am now coming to another matter, simply for the purpose of putting a question to the Government. I cannot say that I expected to see in the Speech from the Throne any reference to all the painful disclosures and painful controversies and contradictions which have appeared in the public journals in such rank abundance within the last few weeks with reference to the circumstances attending the famous expedition of Mr. Stanley. But it is quite obvious that some of these circumstances, through the action of individuals, tend somewhat to compromise the general reputation of this country for humanity. Now I am not minutely acquainted with the position in which the Government has been in relation to that expedition, but I feel that something is to be desired in respect to the repute and credit of England as a humane and Christian country with reference to these controversies, and I should be very glad to know from the Government whether their relations with Mr. Stanley's expedition have been such as are likely to make it their duty to take any step at all either in regard to the clearing up of the truth or the adoption of any other measure with reference to this subject. I think the right hon. Gentleman will feel that I am justified in putting an inquiry within these limits. I shall only say a very few words upon the question of the condition of Ireland. The hon. and gallant Gentleman was extremely courteous in his references to myself—and I can assure him that the very last object of desire to a person in my position, when following the Mover and Seconder of the Address, is to find himself in any kind of conflict with them—but the hon. and gallant Gentleman quoted what he thought were certain words of mine delivered in 1880, which, I think, might lead to an erroneous impression; and as he made them the foundation of rather an important argument, I should be glad to know from what source those words were obtained, and whether they were quoted from the authorised edition of my speeches, which, if not verbally accurate, has undoubtedly gone forth to the world with my general sanction. I confess I was under the impression that the words were not quoted from the authorised Report. I do not think the words accurately described the state of Ireland in the winter of 1879 and the spring of 1880. That is, however, a matter personal to myself on which I will not further dwell; but I do not admit the solidity of the basis on which the hon. and gallant Gentleman has made his appeal. I own it is unfortunate that Her Majesty's Government were not content with advising the insertion in the Speech of those words which state an improvement in the condition of Ireland, but that they likewise found it necessary in effect to compliment themselves by the introduction of words relative to the cause of that improvement. Now, the gentlemen of the Treasury Bench know very well that that is a subject of very great and very serious controversy between the two sides of the House, and I am bound to say, first of all, that these words are totally unnecessary; secondly, that if it be the desire of Her Majesty's Government to shorten the Debates on the Address, a rational and legitimate consequence of that desire would be to avoid inserting in the Speech expressions which are in no way necessary for the purpose, and which tend, of themselves, to elicit expression of difference of opinion, and consequently lead to the prolongation of the Debate. I may say that there is another objection to these words, and that is, they are entirely ambiguous. There are those who think that this improvement is due to the Coercion Act, which others regard as a discreditable and disastrous measure. But there are others who think also that this improvement is due in no inconsiderable degree to an Act which, although most unhappily delayed from the autumn of 1886 to the spring of 1887, yet did, in defiance undoubtedly of all the previous declarations of the Government open judicial rents, subject the covenants in leases to reconsideration, and give under circumstances of extreme pressure a very great and necessary relief to the people of Ireland. I do not consider that is a matter on which it is my duty to raise any more serious question, but I must leave the Government in free possession of whatever satisfaction they may enjoy from the compliments they have been able to bestow upon their own management and action. With regard to the subject of distress in Ireland, that is one in respect to which there can be no difference between one side of the House and the other, and I may say, so far as that subject is concerned, I believe that Members of the House in all quarters will be found ready to make sacrifices of the time which they might otherwise be entitled to claim for the purpose of bringing forward public subjects that they think important and to allow the Government a free hand with respect to the prosecution of such measures. It is quite plain that whatever is to be done in this matter ought to be done without a moment's delay. I know not whether it was a defect of my hearing, but I am not sure that I heard amongst the notices given from the Treasury Bench, although I heard proposals as to a Land Purchase Bill and a Tithe Bill—I am not sure that I heard any notice with respect to the introduction of those measures which are contemplated, and which have regard to the immediate relief of the distress. I must own that I think if the Government find such measures to be necessary notices connected with them are notices that ought to have taken precedence of every other. With respect to the Bill for the multiplication of owners, I do not think there is any advantage in my entering upon a detailed consideration of that subject at the present moment. The objects which we have in view are perfectly well known. There is no disposition, and there never has been a disposition, either to state at any length beyond what was strictly requisite the particular objections which we might entertain to particular proposals, or to undervalue any judicious efforts by means of which that subject may be got rid of without delay. It is of very great importance indeed that it should be settled, but when the hon. and gallant Gentleman goes back as he did, and as he may have been justified in doing, to the original Bright clauses of the Land Act of 1870, he must recollect, and the House ought to recollect, that an entire revolution has been introduced into the principle of those clauses by the form the proposals for legislation have taken, perhaps necessarily taken, ever since the Committee of the House of Lords sat upon that question. The principle of the Bright clauses was to encourage the sale of lands by landlords to occupiers in cases where those occupiers gave evidence of their own forethought, industry, and capacity. But the legislation now proposed has assumed a very different character indeed. It deals with the population wholesale. I am not now referring to that as a matter of censure. I do not know that we have any choice in the matter, but the hon. and gallant Gentleman will perceive that, so far as this side of the House is concerned, we have undoubtedly a strong interest in the speedy passing of any measure which can be proposed judiciously with regard to the congested districts in particular, and, indeed, in regard to the subject generally. At the same time, we must reserve to ourselves the right to take such objections as public principle may seem to us to demand. Other objections we should not dream of searching for. With regard to the other Bills of which notice has been given—tithe rent-charge, private legislation, and the measures with respect to compulsory education—I do not think that it is necessary that I should dwell upon them on the present occasion. I must, however, offer a remark upon the great organic or structural change in the composition of the present Speech. I do not wonder that Her Majesty's Government have felt, as every Government has felt before them, that it is unsatisfactory to present to the House of Commons a very long list of measures with regard to which it is impossible, or practically impossible, for the House to deal with them in the time at its disposal. But they have resorted accordingly to an expedient which is certainly peculiar, and which, it appears to me, is not unattended with serious danger. While four measures of importance are presented to us as constituting the real or immediate plan of legislation of the Session, seven other measures of importance are suspended—I will not say dangled in our view in more remote perspective. This is a practice as to which it appears to me—I make no charge against the Government at this moment—it will be impossible to venture a suspicion or entertain any misgiving; but we may have a day when we have a Government of less elevated views, and a Government of less elevated views might in this contingency reason thus: "By putting a long list of measures into this postscript of the Speech"—for it is little more—"we undergo no responsibility and no liability whatever. We do not profess to intend to carry the measures, because they are all of them subject to a contingency, of which contingency we can make use when the proper time comes, and say that the labours of the House have been sufficient, and it is impossible to enter upon a new chapter of legislative work. It may not be necessary for us to have any Bills or plans at all when measures are named in the Speech without any promise that Bills shall be submitted." It is true that the paragraph which relates to the contingent subjects does state that Her Majesty has given directions for the preparation of Bills for certain purposes, but directions for the preparation of Bills do not imply necessarily the immediate obedience to those directions. Obedience to these directions may be postponed until the opportunity is near at hand for the introduction of the Bills. In one instance, indeed, the hon. and gallant Member the Mover of the Address gave us some comfort in relation to this subject, for he assured us that Her Majesty's Government had a Bill ready with reference to Local Government for Ireland. I make no doubt that that was more than a benevolent speculation on the part of the hon. and gallant Gentleman. He must have spoken with authority, and it is not disparaging to him if I say that I hope that the consoling assurance that he gave to us that there is a plan, that there is a measure in actual preparation and ready for our consideration, when we are ready to consider it, will be repeated and countersigned by still higher authority on the Treasury Bench in the course of the evening. I think it would be invidious to go through all the seven very important subjects that are grouped together in this paragraph of contingency, and to ask in each case for a formal answer to my inquiry whether plans—I will not say Bills in all cases—but plans containing all the substance of Bills, are in each and every case provided for the attainment of these benevolent objects. I do point out to the House that there is a serious difficulty in introducing wholesale this practice of reference to contingent measures which may or may not be introduced when it is done on a large scale. I venture to lay it down as a proper rule that, which after all is the old rule, though perhaps it has not been observed by any Party as strictly as it ought to have been observed—I do not think that the Government ought to promise directly or contingently in the Speech of the Queen any measure whatever except such as they think there is a reasonable chance and hope of their being able to introduce. There are few more words it is necessary I should say before I sit down. Unfortunately, there has arisen a serious question, not amounting to a question of veracity, but a serious question of accuracy between my right hon. Friend near me, the Member for Newcastle (Mr. J. Morley) and a Cabinet Minister. The Government admit that the determination of that question is a subject of very considerable importance, and it is a matter of necessity, I think, that a determination should be arrived at upon it. It involves a great number of different points, of which I may say that the Tipperary trials form the central incident. I will not enumerate the points at the present moment. My right hon. Friend anticipates that in the course of the next week he will be called upon to appear in Ireland as a witness in judicial proceedings in regard to a portion of this matter. He believes —and I think he is right in believing— that upon the whole the discussion of this important collision, so to call it, would be more conveniently taken, not in the form of an addition to the Address, which it would be quite possible to move, but in the form of an appropriate Motion or proposal after the whole question is clear of the judicial proceedings in Ireland. Under these circumstances, I wish to say that my right hon. Friend is disposed to waive any attempt to raise the question on the Address, but he must reserve to himself in that case what, I think, will be felt by all to be a reasonable claim—that is to say, the claim upon the Government to assist him in securing a discussion of the question when, if I may use the homely expression, the stage has been cleared for the purpose by the removal of every thing that would embarrass the issue. He will, therefore, be disposed, if the First Lord of the Treasury will understand that, not to insist upon moving an Amendment to the Address on that question; and if my right hon. Friend is obliged to ask the assistance of the Government in obtaining a solution of the question, I think the right hon. Gentleman opposite will feel it incumbent upon him to afford that assistance, inasmuch as the charge on one side and on the other affects persons of such importance as a Cabinet Minister on that side of the House and my right hon. Friend near me (Mr. J. Morley), who himself has been responsible for the administration of Ireland. Now, upon the important subject of debates on the Address, as I have said, I have, by clearing myself out of this discussion, done what I could on the present occasion to give a practical recommendation that we should be content to follow the older fashion of Parliament, and to refrain from entering upon a wide and extensive field of political discussion, either on topics in the Address, or on other topics which we may think require discussion. But I feel bound to say, and I wish to say it without offence, that I think it is impossible for us to effect a permanent change in anything like a real return to what I believe was the old and salutary practice, as long as the independent Members of this House have to bear in mind that for a series of Sessions, and increasingly from one Session to another, they have been excluded from the field which history and Parliamentary usage have all along assigned to them of a free power to make a considerable demand on the time of the House for the discussion of such proposals as they may think fit to bring under the attention of the House. It is not too much to say that the matter has come to such a point that they have been almost excluded from that power. I was in hopes that the right hon. Gentleman would have given us some assurance— the direct reverse of what he has announced from the Table to-night—an assurance that it was not the intention of the Government, unless in some case of a special and really urgent character, for the general purposes of their legislation, to evade and almost to absorb the time hitherto placed at the disposal of private Members. The right hon. Gentleman says he considers that a case of great urgency has arisen. That urgency is to take the subject of Irish land, the most complicated subject, probably, that can be introduced into Parliament; the subject of tithe, which, though not so complicated, is a very serious one; and the subject of Irish Railways, in so far as the prosecution of these plans is intended for the immediate relief of Irish distress. I take leave to separate the different parts of the proposition of the right hon. Gentleman. I think that, so far as regards Irish Railways, or any measures associated with the relief of immediate distress which Her Majesty's Government may think they require in their public duty to submit to the House of Commons, it will be the duty of every Member of the House of Commons to make the necessary sacrifices for the purpose of giving facilities for those measures of the Government. But what are the measures with regard to land and tithe? I will not deny that, in a certain sense, they may be called urgent measures—measures of importance which have been introduced again and again, and which have certainly not lost their claim in consequence of previous introduction. Her Majesty's Government, however, last year were content to put by those measures and place them virtually on the shelf, for the purpose of introducing to the House, and losing on it 17 days of public time, a plan not indicated beforehand in the Queen's Speech—a plan regarded by us on this side as utterly ruinous with regard to the temperance question of this country, and a plan which, after all that waste of time, the Government refrained from prosecuting in consequence of the reluctance, dissatisfaction, and distrust they found existing among their own majority opposite. That is the real history of it, and it was for that measure that the Land Purchase Bill for Ireland and the Tithe Bill were thrust aside. In consequence of the wanton and gratuitous introduction of that strange scheme of the Government we were called upon to sacrifice the time of the House wholesale, so that this power of private Members has been, I will not say destroyed, but so reduced as to be almost nullified. And now the right hon. Gentleman makes a proposal which I must take the liberty of saying is worse than any proposal I have ever heard on the subject—which is really nothing less than preposterous. He asks us to assign to the question of tithes and of land purchase in Ireland the character of urgency—urgency which would justify a measure so extreme as to exclude private Members entirely from the business of legislation, until the Government are able to move the Speaker out of the chair upon those three measures. I still adhere to my point with regard to this matter. I do not wish myself to make the intimation of the right hon. Gentleman a ground for now discussing the Address at length, and I tell him, with a pretty strong confidence of being right, that he will never secure an easy and habitual passing of the Address according to the ancient fashion as long as this practice obtains of taking away, on mere pretexts, the rights of private Members, which practice has been pursued for the first time at the instance of the present Government. Neither upon that subject nor upon any other will there be any undue consumption of the time of the House; but when the right hon. Gentleman makes his proposal, and first cuts off a portion of the time of private Members—the fraction of the Session before Christmas, which, I must observe, it is impossible for anyone to define—on the assumption that all these measures will be carried to a certain stage before Christmas, of which it is difficult for him to be absolutely assured—I am bound to say, in view of the nature of the proposal, and in view of the proceedings of former years, that, excepting that part of it which refers to Irish railways, I think the proposal of the right hon. Gentleman will not receive the assent of the House without discussion and division. I wish I could flatter myself that the right hon. Gentleman was likely to give it any sort of re-consideration. I have the greatest objection to these wholesale departures from those ancient traditions of Parliament which were the practical result of long experience continued through centuries, but which have been thrown overboard during the past four or five years, with the consequence, not of doing the public work better, but of doing the public work worse. I tell the right hon. Gentleman, under these circumstances, that he need not expect a silent acquiescence in what appears not only a continuance and repetition, but even an extension of what I cannot describe as anything less than a wanton exercise of power by the majority against the minority in this House. The right hon. Gentleman, I think, cannot expect that so long as any privilege whatever of discussion or debate is given to the Members of this House it will not be reasonably but firmly used in taking objection to a proposal of such a nature.

*(7.15.) THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): Mr. Deputy Speaker, before I refer to the concluding observations of the right hon. Gentleman, it is only right that I should for one moment allude to a subject which has been referred to in regard to which both sides of the House are, I am sure, agreed, and in which both sides are equally and deeply interested. My hon. and gallant Friend behind me (Colonel Kenyon-Slaney) referred in terms of sympathy to the cause of the Speaker's absence. The right hon. Gentleman who has just sat down only did justice to himself and to the feelings which prevail in all parts of the House in also giving graceful expression to the sympathy of this House. We all hope that he may be speedily restored to health and relieved from anxiety and sorrow. My next duty is to refer to the terms in which the hon. and gallant Gentleman behind me and the hon. and learned Gentleman who seconded the Address discharged their duties. They have given good proof of the ability which distinguishes the younger Members of this House, and of their capacity to take part in the important duties which this House will still have to discharge when the older Members of it pass away. The right hon. Gentleman has referred to the change in the form of the Address. I intimated on the part of the Government at the close of last Session that there would be a change in the form of the Address, and that that change would be directed solely with the object of avoiding, as far as possible, raising questions which are contentious at the opening of the Session. The right hon. Gentleman has repeated to-night the statement which he has expressed in the past that the Address should not be made the opportunity for a prolonged discussion, or of delaying the progress of the business of the House. I trust that the good advice he has given and the views that he has expressed with regard to the ancient traditions of the House will be received by hon. Members opposite, above and below the Gangway, with the authority which anything he says conveys to them, and that we shall on this occasion revert to the ancient practice of this House, and one which in times past has tended so much to the advancement of the conduct of public business and the country. I pass on to that portion of the right hon. Gentleman's speech in which I am able to express entire concurrence in the course he has recommended. The right hon. Gentleman has referred to the foreign policy of Her Majesty's Government. Undoubtedly it is the fact that peace is preserved and that, as far as we know, it is not likely to be disturbed. We have reason to be thankful for a period of contentment abroad, which augurs well for the prosperity and happiness of the great Empires affected by the political conditions of Europe and of the world. We desire that those better days should continue, for the greatest interest of the world is peace. The right hon. Gentleman also referred to our negotiations with the United States in regard to the Behring's Sea question. We have every hope that those negotiations will progress. They have not advanced very far at the present time, but there is no reason whatever to apprehend any ultimate difficulty in coming to an understanding with a Power with which, undoubtedly, we ought to have, under all circumstances and at all times, the most friendly and cordial relations. There is every desire on the part of Her Majesty's Government to meet the United States of America in the most friendly spirit, and to find terms upon which the difficulty existing between the countries can be satisfactorily settled. The right hon. Gentleman referred in terms of certain warmth to the misgovernment which obtains in some portions of the Ottoman Empire. I was glad to hear him remark that there was no unfriendly disposition entertained towards the Ottoman Empire, but that there was, on the contrary, every disposition to regard that Empire with sympathetic interest if it would take sufficient precautions for the good government of its subjects. We have not failed to show our sympathy with good government in that Empire, but the right hon. Gentleman very wisely referred to the loss of dignity which

might result in making frequent representations to any Power where such representations may not receive adequate notice. I can assure the right hon. Gentleman that no fitting opportunity has ever been lost by Her Majesty's Ambassador at Constantinople of representing to the Porte that the best interests of Turkey are involved in the good government of its Empire, and that every assistance has been given, so far as the moral weight of the Ambassador of this country is concerned, to aid in the direction of good government. It was possibly through our representations in the case of Moussa Bey that that notorious person has been exiled to a distant part of the Empire, and will be no longer capable of exercising any injurious influence he may have possessed. The right hon. Gentleman asked me a question with regard to the painful allegations which have been made with reference to what is termed the Stanley Expedition in Africa. The right hon. Gentleman asked me to state what the relations of Her Majesty's Government were to that expedition. I can only assure the right hon. Gentleman that Her Majesty's Government had no relations whatever with that expedition. It was an entirely voluntary undertaking on the part of a committee formed for the relief of Emin Pasha, and it was placed, as I understand, entirely under the control of Mr. Stanley himself, who chose his own officers and supporters, and who made, on his own responsibility and on that of the committee, all the arrangements for the expedition. I can only share with the right hon. Gentleman the sorrow which he conveyed that any imputation upon the conduct of Englishmen could be made under the circumstances which have been communicated to the public. I must remind the House, in the first instance, that the Government had no responsibility whatever for the expedition; in the second place, that the two officers who have been implicated by the charges, which may or may not be capable of proof, are dead, and are therefore incapable of making any answer to the charges brought against them; and, in the third place, that we have no control over any persons who could be brought forward as witnesses. It would be a matter of enormous difficulty, if even it were the duty of the Government to institute it, to conduct such an inquiry of that character, which could not have any satisfactory result. The right hon. Gentleman has referred to the terms of the Queen's Speech in reference to Ireland, and he complained that we have spoken in that Speech with satisfaction of the salutary legislation of the last few years. The right hon. Gentleman said that the language of the Speech might include the legislation of the last two or three years. It does include the whole of the legislation of the last two or three years, for which Her Majesty's Government take credit, and which they have been successful in passing through this House. We have reason to believe that the Government of Ireland has advanced and that there has been a marked improvement in the condition of that country, and that that improvement is due to legislation in part of which the right hon. Gentleman entirely concurs, and to part of which, naturally, he objects. I am sorry that he finds fault with the expressions in Her Majesty's Speech under these circumstances, but I am afraid that it would be very difficult for the leaders of an Opposition to be always quite satisfied with the expressions in the Speech from the Throne on matters which are the subject of violent party controversy both in the country and in the House. The right hon. Gentleman gave an assurance for which I am most grateful—that, speaking for himself and for all his friends both above and below the Gangway, all assistance will be given in the passing of any measure which may be necessary for the relief of distress in Ireland. I am happy to say that the distress is not so widespread nor so deep as in the case of former years, and that there is reason to believe that such distress as there is is limited in extent, and that, therefore, the measures we have to propose will not be of that wide or large character which need occupy the time of the House to any considerable extent. We propose, however, to take such steps as may be necessary to insure that no one of Her Majesty's subjects shall be without the means of earning money in order to procure food in that part of the country where exceptional distress may prevail. The steps that we shall take for the relief of distress will be of such a character as will not demoralise the people. The right hon. Gentleman referred to the measure which we propose with regard to the multiplication of holdings, and assured us that no obstructive opposition would be offered to a proposal of this kind. The main principle of the measure is the same as that of the measure submitted to Parliament last Session. It is one on which we believe that it will be possible for the Opposition and ourselves to agree, if hon. and right hon. Gentlemen are really desirous of advancing the interests of the occupiers of land in Ireland. The real question is whether the assurances that have been given of the desire in all parts of the House that the occupier shall be converted into the owner are sincere, or whether a measure of this kind is still to be made the stalking horse of faction and opposition and obstruction. ["Oh, oh!"] I accept the assurance that it is the desire of hon. Members opposite to give effect to their expressions of a wish to benefit the occupier. The right hon. Gentleman referred shortly to the question of private legislation. I am reassured by his observations that we shall have his assistance and the assistance of his friends in any well-considered proposal that may be made to Parliament on that subject. He also referred to the organic change in the Queen's Speech, and said that we had proposed four measures for which we ask immediate consideration, and seven others that are purely contingent, and that might not be found in a state of legislative preparation at all. He added that the only undertaking on the part of the Government with regard to these measures was that they might be prepared at some future time, if Parliament found time to deal with them. I must remind the right hon. Gentleman that several of these measures have already been before Parliament, have been printed, and have been read a second time. Therefore the right hon. Gentleman may dismiss from his mind any apprehension that may exist so far as the preparation of the greater portion of these measures is concerned. We had to consider whether we were justified in putting into the Speech a list of measures which experience has proved to us we could not certainly pass, or ask Parliament to pass, in the course of the present Session, if the debates are to be continued at the length of the debates which have taken place during the last three or four Sessions. We are, however, convinced that it would be possible for Parliament to pass, not, perhaps, the whole, but certainly a large proportion of the measures in the Speech, if we could return to the old way, and give something like fair and reasonable consideration and criticism to the proposals made on this side of the House, and if there was a clear and earnest desire on the part of Parliament to pass those measures. But, if we are met by continued debates and protracted discussion, it is obviously not the fault of Government, or of the right hon. Member for Mid Lothian; but, collectively, it is the misfortune of Parliament, that individual Members make it practically impossible to proceed with legislation which the country desires. That is my answer to the right hon. Gentleman. Many of these measures are actually in type, and could be produced to-morrow.

MR. W. E. GLADSTONE: Local Government for Ireland?

*MR. W. H. SMITH: I should be very happy to give to the right hon. Gentleman a draft of the Local Government Bill for Ireland. Let us first pass the four measures we have indicated, and then, if the right hon. Gentleman will give his assistance, and will make no complaint that we are taking too large a portion of the time of private Members, I shall be exceedingly glad to hand to him a draft of the Local Government Bill for Ireland. The right hon. Gentleman addressed to me a question with regard to the difficulties that have arisen between the right hon. Member for Newcastle (Mr. J. Morley) and the Chief Secretary for Ireland. He said that there were questions of fact involved on which the right hon. Gentleman would think it necessary to raise a debate. I understand the proposal to be that no debate shall arise on this question on the Address, but that at a later period an opportunity shall be afforded to the right hon. Gentleman to challenge the judgment of the House upon the action and language of the Chief Secretary.

MR. JOHN MORLEY (Newcastle-upon-Tyne: My right hon. Friend meant, and I mean, something much wider and of a less purely personal nature than that. I mean a Motion criticising the administration of the law in Ireland, with special reference to events in Tipperary.

*Mr. W. H. SMITH: I repeated what I understood the right hon. Gentleman to have stated, and I am glad that I have given to the right. Gentleman an opportunity to make perfectly clear the object of his intended Motion. Certainly we will find a fitting opportunity for him to make any Motion of that character. It is obvious that a Motion of censure—for it amounts to that—on the Chief Secretary is a Motion that the Government ought certainly to meet. The right hon. Gentleman referred to the debate on the Address, and expressed a wish that it might not be unduly prolonged. I can assure him that I go with him most heartily and entirely on that question. Parliament has lost a great deal by prolonging debates on the Address. Such prolongations have had a most disastrous effect upon the business and the reputation of the House. The right hon. Gentleman finds fault with me for taking the time of private Members, without appearing to perceive that the necessity has been forced upon the Government by prolonged debates on the Address that have lasted ten days or a fortnight, and on one occasion three weeks. This waste of time shuts out private Members from opportunities that they would have had of discussing their Motions, and of considering their Bills. No one in this House desires more than I do to return to the old way. On the first indication on the part of hon. and right hon. Gentlemen opposite that they are inclined to give reasonable facilities for the consideration of Government measures, I shall be the very first to return to the old-fashioned way of giving to private Members the time that they had in the past. But if the right hon. Gentleman found himself in my position, and had to meet the difficulties that have been put in the way of our measures, he would have been compelled to take the same course. The right hon. Gentleman has complained that I am about to introduce a Motion which is unprecedented and severe in its character. I explained to the House why it was that I thought it right to ask this concession from the House. I think it is for the convenience of private Members that progress should be made with the important measures of the Session, so that it may be possible to give to private Members the time that they should have. If we make no progress before the short Christmas holiday it may be possible to take, it must be obvious to the right hon. Gentleman and to the country that we shall be compelled to ask the House to sacrifice, the time which we most earnestly desire to avoid. It is for the House itself to find the time and private Members ought to possess it. The right hon. Gentleman referred to the events of last Session. I do not think it is desirable to refer to them with the view to considering what is to be the course of business this Session. Last Session we had angry and prolonged debates. The right hon. Gentleman said that proposals were made that were totally unnecessary, and that were not referred to in the Queen's Speech. That controversy has been gone into over and over again, and I will not say of it more than this, that the proposals of the Government were made by them with a deep sense of their responsibility, and with the desire of advancing temperance. We believed that we should secure the support of every one interested and desirous to increase habits of temperance among the people. We failed—we acknowledge we failed—after a struggle which was protracted in a degree unknown almost to Parliamentary practice, which had the effect of delaying the consideration of measures which we thought necessary in the last Session of Parliament, and which resulted in our asking Parliament to come together in November. Well, Sir, I trust that nothing I may say will increase the bitterness of party controversy. It is as far as possible from my desire to do anything of the kind; and I trust we may have in this Session the support not only of our own friends behind us in the consideration of the measures which we believe to be necessary in the interests of the country, and especially of those who are supposed to be the clients of hon. and right hon. Gentlemen opposite. We believe that our measures are conceived in the interests of the people at large; we believe that they are free from any desire to prop up party or sectional interests; we believe that they are for the good of the country; and we therefore ask, and I hope we shall not ask in vain, for the hearty support of those who trust us, and for fair, moderate, and reasonable criticism only from those who generally differ from us.

*(7.50.) MR. BRADLAUGH (Northampton): Mr. Speaker, I do not want to intrude at any great length upon the House. There are one or two things which have been said by the Chancellor of the Exchequer during the recess, and by the First Lord of the Treasury, which require a word or two from private Members. I understand that the case presented for claiming the full time of the House is that measures have been obstructed from this side of the House, so that the Government have had the necessity forced upon them of doing what they now propose to do. The Chancellor of the Exchequer recently referred among other measures to the Employers' Liability Bill, and to the Government proposals respecting Friendly Societies. I avow that I was astounded when I read the observations of the Chancellor of the Exchequer. I imagined that he must have been mis-reported. Because in the whole time of the present Parliament the measure to amend and make permanent the Employers' Liability Act has not occupied two nights. Something was done in Grand Committee, it is true, but it in no way delayed the proceedings here. One year the Bill was not introduced at all. Another year, when it was printed, we saw nothing of it. It is a little too audacious to put this Bill forward as an obstructed measure.

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): I am confident that the hon. Member is under a misapprehension, or has misread the report. I never spoke of any obstruction upon the Employers' Liability Bill.

*MR. BRADLAUGH: I have no doubt it is a misreading of the report on my part, but I gave some attention to the subject, and I thought that the matter was urged as one of the illustrations of the measures which the Government had tried to carry, and had been prevented from carrying by obstruction of them. Certainly, though I may have been under a misapprehension, the Friendly Societies Bill seemed to fall into the same category. I am glad, however, to accept the assurance of the right hon. Gentleman, and it is a satisfaction to know from him that the Employers' Liability Bill was not one of those obstructed. If that is true, then it is also true that the Government have been lacking in their duty to the working classes specially affected, because it is a measure which should have been dealt with, but with regard to which during two Sessions past not a word has been said. Words falling from the Chancellor of the Exchequer have much more effect than words falling from a man like myself, and I think he ought expressly to have mentioned that this was one of the Bills as to which all fault laid with the Government, who had not in any fashion endeavoured to bring it before the House for at least three years.

MR. GOSCHEN: The hon. Member misunderstands me on this point. I have never charged, so far as I can remember, any obstruction on the Employers' Liability Bill. The argument to which the hon. Member probably refers, is that the general delay of business which took place in the House, that which I call obstruction, prevented our passing Bills which we had at hand. I did not say, certainly, that these two particular measures had been obstructed.

*MR. BRADLAUGH: When I spoke at Manchester, a few hours after the right hon. Gentleman had spoken on the question of obstruction, I suggested that the Government, having a large majority at their back, had been probably obstructed, either because they did not want particularly to carry the measures which were obstructed, or because they introduced more measures than their own followers desired should be considered, or because they were incapable of handling the powerful weapons they had forged for the purpose of overcoming obstruction. That last, of course, is an impossible supposition, and I said so at the time. I would suggest that it would be a little more in good taste if supporters of the Government were not so reckless in making charges of obstruction. Another Member of Her Majesty's Government has spoken during the recess of the number of questions put to Ministers in this House, and has suggested that those questions had better be put in writing and sent to the different Ministers to whom they are intended to be addressed. I will here offer the House a sample of the experience I have had in this direction during the last few weeks. I am always ready to accept any suggestion coming from the Treasury Bench as far as possible, and in fact it is sometimes said that I am a little too ready to do so. At any rate I adopted this suggestion at once, and accordingly addressed to the Department to which it has been my duty and will continue to be my duty to address a large number of questions, to some of which answers had been promised as far back as March and April last year, an inquiry with regard to which the House will be amused to hear that in reply to that communication I received from the Minister to whom it was addressed, a letter informing me that I might raise the subject by an Amendment to the Address, by which method it could be fully discussed. [Sir J. GORST expressed dissent.] I quote from memory, but I will try to state exactly what that letter conveyed. In reply to the question I thus put I was told that I could bring the matter forward by way of an Amendment to the Address, and that the Secretary of State considered that that would be the most fitting occasion for obtaining a reply.

*THE UNDER SECRETARY OF STATE FOR INDIA (Sir J. GORST, Chatham): The hon. Member was good enough in the early part of the recess to give me notice that he intended to raise by way of Amendment to the Address the question of the indigo riots in Jessore. The letter referred to was subsequently addressed to me, and I replied to it saying that it asked for information on a subject as to which the Secretary of State did not think it expedient that he should enter into a discussion with the hon. Member, seeing that hon. Member had already announced his intention to bring the subject before the House of Commons on a specified occasion. At the same time, I said that the Secretary of State was prepared to give the hon. Member information on any points of detail as to which he might care to ask. I wish the hon. Member would read my letter.

*MR. BRADLAUGH: I shall have great pleasure in bringing the letter down and reading it to-morrow in order to make the matter perfectly clear. It shows how mis-impressions will occur, not only as to speeches made and reported, but as to letters received and misunderstood. It shows, too, the necessity of sometimes having questions put across the floor of the House, where there can be no mistake about them. At any rate, as the right hon. Gentleman the Under Secretary for India has done me the honour to correct me, it will be within his recollection, and within the recollection of such of the House as take an interest in the matter, or care to go to *Hansard* for information, that the very questions on which he says, as I understand now, that it is fair I should have information, were questions put to him early last year—questions repeated and pressed upon his attention, I think on one occasion with some disposition on my part to resort to the forms of the House, of which I should have availed myself with some reluctance. If it were not that I know that the right hon. Gentleman is never guilty of anything like a sneer or jest, to refer me to an Amendment on the Address for the information I am seeking would seem to be making a mock of me. Last Session I refrained from debating Indian matters on the Address; I refrained from speaking on them at all, on the distinct pledge and understanding with the right hon. Gentleman the First Lord of the Treasury that at any rate one night should be afforded to me for that purpose—afforded to me on the Second Reading of the Bill, introduced by the Government, in the House of Lords, and which was to be brought down to this House before Easter, and which, though brought down, was never brought on here from the first day of the Session to the last. There is no pretence of saying that the Indian Councils Bill was obstructed. If anything, I was constantly pressing the Government to bring it forward. I had their distinct pledge that it should be brought forward, and it never came. And I have this further difficulty, that it is only with Mr. Speaker in the Chair that there is any chance of challenging the Government on the gross illegality of their conduct every year since they have been in office, and which may be repeated on that matter this year. I mean the absolutely distinct Statute which requires the Indian Government to lay on the Table of the House, during the first fourteen days of May, certain information. The Statute requires them specifically to do it. I have asked about it, and my question is evaded. If the debate on the Address is objected to, there is no opportunity of fairly raising the subject. No resolution about it would be pertinent on the presentation of the financial statement. The Government is content to break the law itself now, and there is no reasonable means of punishing it. The India Office is an office over which we have not the same control as we have over every other department of the State, namely, for when salaries affecting other departments are voted we can make them the subject of criticism. But in the case of the India Office the matter is dismissed with a good humoured laugh at the end of the Session. Again, while even Members of Parliament we now know are in gaol for breaches of law not more specific than those of which I complain, I do think that the Government which is so strong in enforcing the law at one place, might be not less decent in obedience to it themselves here. There is no reference in the gracious Speech from the Throne which will show whether the Government intend to take any steps whatever to submit to this House any kind of legislation in reference to the amendment of the India Councils Act; which they last Session declared particularly requires amendment. I trust we shall not be driven (as driven we seem to be) to raise Indian questions by Motions for the Adjournment of the House, which are unpleasant to the Members who have to move them. But still we have no other resources left to us when the Government actually defy the law and make no effort whatever to fulfil it. As I understood that it is the wish of the House, and that an arrangement has been made between the Front Benches that no debate shall now take place on that portion of the Speech which relates to Ireland, I will only say one word in reference to the observations of the First Lord of the Treasury when, in reply to a remark by the right hon. Gentleman the Member for Mid Lothian, made across the Table, he said he should be pleased to show him a draft of the Local Government Bill. That Bill was solemnly promised by the right hon. Baronet the Member for one of the divisions of Bristol at the close of the year 1886 to be introduced in the year 1887. It was promised as a measure of local government to be framed on a popular basis, but in all probability that will always be in draft, and will never be presented. The right hon. Gentleman the Chancellor of the Exchequer—and it is possible that again I may have misunderstood him—said the Bill would be introduced when the country was in a fair state of quietude. Of course, the reporters may have done the right hon. Gentleman an injustice, or my appreciation of the meaning of his words may have been imperfect, but still I did understand the words thus put into the mouth of Her Majesty last Session to be a declaration that the country was in a fair state of quietness. Now we are told it is still better, and I do think it is a little too much that these statements should be made year after year without any effort being made to fulfil the Government pledges. I shall reserve what I have to say as to the taking away of the time of private Members until the First Lord makes his Motion on the subject, but I now ask the Government in common decency to say—what the right hon. Gentleman the Under Secretary of State for India would not say when he was making his financial statement last year—I ask them to say now in this House—for I warn them that I shall take some means of making this the subject of debate, whether the time of private Members is taken away or not—I ask them to say what are the reasons for their absolute disobedience of the law for the last four years in not duly submitting the statistics of the moral and material progress of India which they are called upon to submit annually, and I wish to know further whether they are going to obey the law this year, and if they will do so in the time fixed by the Statute? If not it shall not be my fault if the Government undertake other business of importance before the House at least expresses an opinion upon this subject. I know it is futile to expect answers now to questions upon matters relating to India of which I have only had the advantage within the last few moments of receiving information. I have had a number of documents sent me, but I am not sure that I am at liberty to refer to them. I am told that some were sent to me for my private information only, and I am placed in a somewhat unfair position both towards those for whom I speak and towards the House itself, because those documents are documents which passed between Departments of the State on matters affecting the liberty of the subject, and

I submit that they ought to have been laid upon the Table of the House. I trust that the Under Secretary of State for India will give me some pledges that if I move for Papers relating to the cases of Warburton and Luson they will be granted. If I do not receive some such pledge I shall take legitimate means of raising the question.

*SIR J. GORST: As the hon. Member has so pointedly referred to me, perhaps the House will allow me to make a few observations. The hon. Member asked me a number of questions last year upon details of Indian administration—questions based upon information which he had received from an *ex parte* source. I was unable to answer at the time, because, as the House will understand, all the details of Indian Government are not necessarily reported to the Secretary of State. Those who are dissatisfied with any Act of the Government are of course at liberty to send garbled statements to hon. Members of this House, but it is impossible for the Secretary of State to be always prepared with full particulars on all points of detail so as to be able at once to provide information on any question raised. The hon. Member, in the recess, sent me a letter, saying that he did so in consequence of suggestions of the First Lord of the Treasury, and in it he asked me to give him an answer on certain points. I think I may say that I sent an answer which generally showed that the information upon which he had asked questions during the last Session of Parliament was wholly erroneous, and gave a false idea of the circumstances referred to in those questions. There was undoubtedly one question with regard to some riots which took place at Jessore, in India, between indigo planters and their *employés*, upon which, by directions of the Secretary of State, I withheld from him information I possessed on the ground that the hon. Member for Northampton had given formal notice that he intended to raise a discussion upon this matter in the House of Commons by way of Amendment to the Address, and that, therefore, it was not convenient that I should enter into a discussion with him upon isolated and particular facts regarding a question which was ultimately to become the subject of general debate. But I accompanied the refusal with an intimation to the hon. Member that if there was any point in connection with the case upon which he desired to have information, such information should be most freely accorded him. I think I have made it clear to the House that the hon. Member has no ground whatever for complaint as to the information which he received from the Department. Now he says that the information which he desires is contained in formal despatches from the Government of India, and he complains that those despatches have not been published. The reason why those despatches have not been published is that it was desired to avoid garbled extracts being published. I do not for one moment intend to suggest that the hon. Member himself would have given out garbled extracts, but there are gentlemen who might do so with the view and result of leading to direct misrepresentation, and therefore the Secretary of State thought it undesirable that any of the despatches should be made public, unless they were first properly moved for in this House.

*MR. BRADLAUGH: If I move for Papers with regard to the Warburton and Luson cases, will they be laid on the Table?

*SIR J. GORST: If the hon. Member desires to have these despatches, and will place a Notice of Motion on the Paper, I will promise to give him all despatches that can properly be made public. With regard to the discovery which the hon. Member made last Session about the breach of the law, which he intimates renders the Secretary of State and his subordinates liable to imprisonment and punishment for deliberate violation of the law, I must say that the discovery does credit to the legal acumen of the hon. Member. The section he refers to is contained in the Government of India Act, 1858, and it requires that certain information shall be laid upon the Table of the House within fourteen days of the 1st day of May in every year when Parliament is sitting. Now that is a proviso which, I am sorry to say, has been neglected from the very first. Except, perhaps, in one or two accidental cases, the information has never been laid on the Table within the time prescribed by law. My attention was first called to it by the hon. Member in the course of last Session, and, anxious as I am sure the Secretary of State is above all men to formally observe the law, he is determined to obey it in the coming year, and consequently in 1891 every effort will be made to comply as far as possible with the letter of the Statute. But I am sorry to say that the Return which Parliament requires to be laid on the Table is founded on information which has to be obtained from India, and it is not absolutely easy, now that the Government of our Indian Empire has so vastly developed itself, to obtain the information in time to lay the Returns on the Table at the date specified in the Act. I know that a few years ago, in consequence of a complaint made specially, I believe, by the hon. Member himself, as well as by other Members, of the late period at which Indian finances were ordinarily discussed, an effort was made to get the information respecting the finances of India laid upon the Table of the House at the earliest possible date. Great pressure was put upon all the Departments of the Government in India to send the information, but, notwithstanding that pressure, it was not available before some time in June. I am, therefore, afraid that it may be impossible to get the information to which the hon. Member refers ready for presentation earlier than in June. I can only repeat that I am sure that every effort will be made to comply with the Act so far as possible; but there is a danger that if an attempt is made to get the information ready by a fixed time it will not be nearly so complete, accurate, and perfect, as the Government of India and the Secretary of State desire. It is also worthy of note that on the occasion when the Government made such strenuous efforts to get particulars of Indian finance laid on the Table of the House early in the Session, the House never found time to discuss the subject until the very end of the Session, and thus the efforts made to secure the early information were entirely thrown away. Again I can only say I am sure that every effort will be made in the coming year to obtain as early as possible the information as to which the hon. Member is so anxious. (8.30.)

*(8.45.) MR. S. SMITH (Flintshire): My reason for intervening in this Debate for a few moments is to call attention to the paragraph in the Speech from the Throne which deals with the question of assisted education. The term "assisted education" is not used' but——

Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

*(8.48.) MR. S. SMITH: The paragraph in the Speech to which I wish to call attention reads as follows:—

> "Your attention will be invited to the expediency of alleviating the burden which the law of compulsory education has in recent years imposed upon the poorer portion of my people."

This language is not particularly pellucid, but in a general sense it can pretty well be understood. I suppose that what is really intended is the introduction of a scheme of what we call free education, that is, the removal of fees in elementary schools. We on this side of the House welcome the principle of free elementary education. I believe there will be no opposition whatever to the adoption of the principle. We believe that, upon the whole, free education will be a great boon to the poorer population of the country, and that it will tend in a very marked degree to the advance of education itself. But while I say that, I wish to point out to the Government that we shall reserve the right to criticise very closely the means by which they propose to give effect to the principle of free education. It is not unlikely that very serious differences of opinion may arise in the House before the principle can be carried into law, and I think it is only fair some of us should give an indication to the Government of certain conditions which will be necessary to give effect to this paragraph if it is to be received with anything like cordiality on this side of the House. In the first place, if the Government propose, as I have no doubt they do propose, to free the standards both in denominational and undenominational schools, there will be a very strong determination on this side of the House to secure some species of representative control of the voluntary or denominational schools. It will be proposed that a very large extra grant of public money be made both to Board and voluntary schools, a grant, I understand, amounting to something like 10s. per head. That will increase the Government grant by something like 60 per cent. beyond what it is now. If this great additional grant be given to voluntary and denominational schools, it will be imperative that there should be some increase of public and popular control. I wish to speak particularly on behalf of Wales. In Wales the vast majority of the population are Nonconformists, but education is largely conducted by means of the Church of England schools. There exists in Wales much dissatisfaction with the way in which these Church schools are conducted. The feeling is wide and general that the schools are used for proselytising purposes. I have heard of cases which I can only describe as gross tyranny and hardship imposed upon the children of Nonconformists. I don't go so far as to say that in Wales we should at one sweep seek to brush away all Church and voluntary schools, but I do ask for a reasonable degree of representation on the management of these schools, a sufficient representation to protect the people from anything like tyrannical or proselytising influences. In a recent tour I made in my constituency I was told that if free education was offered without that check or control, the people would rather be without it altogether. Again, if the principle of free education is proposed for elementary schools, I would strongly urge that all the standards should be free. A great mistake was made in Scotland last year in not freeing all the standards. The freeing of all the standards will be welcomed by the people as a great boon, but a half-and-half measure will not be received with satisfaction in the country. We wish particularly to extend the school age of the children. There is no point on which educationalists are so eager, and it is perfectly obvious that if we free only the first four or five standards, it will be extremely difficult to keep the children at school until they have passed the Sixth Standard. We wish to press on the Government that this is a wonderful opportunity for carrying out the recommendations of the Royal Commission which sat a few years ago. When we grant free education we may fairly ask the parents to make some small sacrifice; we may fairly ask that the compulsory age of exemption shall be 13 years, as recommended by the Royal Commission, and that the half time age should be raised from 10 to 11 years. I do not think there would be any opposition in the country to such a proposal. We have already got some important educational boons from this Government, and if they will add to the boon of free education a lengthening of the school age they may rightly be regarded as benefactors of the working population. I ask them likewise to carry out the recommendation of the Royal Commission with regard to the establishment of evening or continuation schools. We got some encouragement in the Code of last year, but, after all, it was very imperfect. I ask the Government to make it an integral part of the educational system that School Boards shall be obliged to have continuation schools, and that under certain conditions the children shall be drafted into these schools for one or two years after they leave the day schools, as is done in Germany, Switzerland, and many of the Continental States. I am satisfied the Government will receive great support if they are encouraged to go forward in this direction. No doubt the attention of the country has been arrested by that passage in General Booth's book in which he has brought out in vivid colours the horrible condition of masses of our poorest urban population. I have repeatedly stated in this House, and I do so again, that you can make comparatively little impression on the great mass of squalor and misery in our large towns unless you can save the children. The whole secret of the remedy is, save the children; and to do that lengthen the school period and keep them under control until they reach the age of 15 or 16, as is done in Germany and in Switzerland. Keep them in elementary schools until 13 or 14, and then require attendance at continuation schools until they are 16 or 17 years of age, and so you will do much to remove the misery and degradation among the poorest of the populations of our large towns. I earnestly submit these proposals to the Government. I have failed in the Ballot to secure a place that will allow of my Bill in relation to continuation schools being discussed this Session, and, therefore, I appeal to the Government when they introduce their promised free education proposals, that they will couple with them clauses lengthening the term of school life and establishing everywhere continuation schools, and giving power to

School Boards and Committees to secure the attendance of children at these schools. One other point I wish to bring before the Government. It will be necessary if we have universal free education to have some kind of classification of children. Already it is felt to be a great grievance among the better portion of our working classes that their children have to associate with those of the most degraded classes who live in the worst slums of our towns. It is complained that however carefully children are brought up at home they have to associate at public schools with the children of thieves and prostitutes, and contamination spreads through the school. These evils will be immensely increased by the free school system. You will have the children of the respectable class mixing with the demoralised class, and corruption will follow. I do not know what principle of classification the Government will adopt. I would not be averse to having a few schools where fees are charged, and to which parents may send their children if they wish. It is one of the most startling paragraphs in General Booth's book, wherein he describes how the taint of immorality is spread through to schools by children from the slums. Undoubtedly, this point deserves the most serious attention. One thing more I must mention. Ugly rumours are floating about that the funds for the support of free education will be drawn from the money voted to County Councils for technical and intermediate education. I hope there is no truth in these rumours. County Councils with few exceptions are using the money admirably for educational purposes, and a great scheme of intermediate and technical education has been constructed based on the permanent application of these funds to this purpose, and it would be regarded as a breach of faith, a dishonourable act, to take away this money again.

The VICE PRESIDENT of the COUNCIL (Sir W. Hart Dyke, Kent, Dartford): Hear, hear!

*Mr. S. SMITH: I am glad to find that opinion has my right hon. Friend's approval. For Wales I can speak particularly; the whole of the Principality is being covered with a net-work of intermediate schools, reliance being placed on the permanent character of the grant. I hope the Government will not give countenance to any suggestion such as I have indicated, and will resist any temptation to so divert these funds. Just one observation on the Tithes Bill. It has now been promised for three Sessions. We all know that the main object of the Tithes Bill is to introduce peace and tranquility in Wales in this connection. Now, I wish to express my conviction that no settlement of the tithes question will in the smallest degree satisfy the people of Wales that is not coupled with a scheme for the disestablishment of the Church. I say this as a Representative of the Welsh people, and every Liberal Member from Wales will bear me out. No question causes such an intense and burning agitation among the Welsh people as this of the disestablishment of the Church of England in Wales. The tithe question is only a branch of this subject, and the Government are under a great delusion if they think that by changing the incidence of the tithe they can allay this agitation. It will continue and increase until the principle of religious equality is secured to the Welsh people. I will say no more, for I agree in deprecating a needless prolongation of the Debates on the Address. There was a great waste of time last year, which I am glad to think will not be repeated, and I hope that all through this Session time will not be squandered in bitter Party recriminations, but that we shall devote ourselves to useful constructive legislation in the discussion of which all Parties may have their share, for surely there is a large common ground of patriotism we can all occupy in spite of the strong divisions of opinion that separate Political Parties.

*(9.9.) Mr. BARTLEY (Islington, N.): I have but a few words to say on the subject of free education. I have had a great deal to do with educational matters for many years. I had a great deal to do with the passing of the first Act in 1870, and before I had the honour of knowing Mr. Forster I assisted in work in the East End in connection with the movement and the measure which Mr. Forster complimented me on having assisted him to pass. I am keenly alive to the importance of extending education, and I think that the

subject of free education is one to be promoted not on Party lines, but upon the consideration of whether it will improve education and the social condition of the people. The history of free education of course is difficult to trace, but much has been published on the subject. It was gone into by a Royal Commission a few years ago, and the Commissioners expressed their opinion that a system of universal free schools was not desirable. Mr. Fitch, a leading educationalist, and who no doubt has done an immense deal for the cause of education—no man having more sympathy with the promotion of education—has distinctly stated his opinion that a universal system of free education would be most mischievous. In connection with the subject, the question of regular attendance is important to consider, and I am afraid that authorities seem to agree that in free schools attendance is not so regular as in those schools where fees are paid. I gather from a remark of the hon. Member who has just spoken that he is of opinion that it is desirable to have some schools in which fees are paid. This is not the time to enter fully into the question. When the Bill is introduced we shall consider it carefully, but it is necessary to say a few words, as this is brought up rather as a novelty, and we have not sufficient light on the subject as some persons think. Authorities speaking with experience of the free system in America and in Scotland show that in free schools attendance is not so regular and progress not so good as where fees are paid. I will not weary the House with references. I must candidly say that, to my mind, a great object is to secure the safety of voluntary schools as representing denominational teaching. I know that certain of our friends do not regard this as of so much importance as we do, but under no system can we support any Bill that will damage or endanger the existence of these voluntary schools. Of course if these fees are done away with in some way, the money must be made up. Some propose an increase of the rates; but I think we shall find that will not be a popular movement. The increase would be a large one. So it would also if the charge were thrown on Imperial taxation, and the proposal will lead to much discussion. I think from remarks from hon. Gentlemen opposite, and correspondence in the Press, there is a determination that voluntary schools should be managed by Elective Boards. I have no objection to Elective Boards, but I say voluntary schools must maintain their distinctive character. We have got Board schools, but we insist on the schools for the Church of England, for Roman Catholics, Wesleyans, and others, maintaining, if they think proper, their particular denominational character. I lay great stress upon this; but how it is to be managed I candidly confess I do not know, under the proposal to abolish fees. The financial question requires grave consideration. The cost of education, roughly speaking, is seven and a half millions—half of the amount paid from the Imperial Exchequer, a quarter by localities, and a good quarter, or nearly two millions, by fees. Well, if we propose an increase in local rates, it means an enormous addition of something like a thirteenth of the whole local rating of the country—something like 3d. in the £1. I do not think anybody will venture to propose an increase of that kind to do away with school fees. There are those who say the cost should in some form be thrown on Imperial taxation, and it has been proposed that it should be paid out of the Consolidated Fund. That, of course, means there must be extra taxation that can only take one of two forms—1d. in the £1 on the Income Tax, or 6d. or 9d. a gallon upon alcohol. I have no objection to the addition to the one or the other, if such is necessary; but if we are going to make the addition in order to abolish school fees, let us be told so distinctly. On the social aspect of the question I have just a word or two to say. On this ground many who are ardent supporters of education are opposed to the proposal. Mrs. Fawcett, a keen supporter of everything that promotes the wellbeing of the masses, has written strongly opposing the idea of free education. Professor Fawcett also opposed it, and he said it meant a very large extension of outdoor relief. Looking at it from a social aspect, I ask, Is it wise, inasmuch as education is now paid for in the proportion of three-fourths by the State and a fourth by individuals—is it really wise to throw the whole cost upon the

State? No doubt it is a very popular thing—it always is—to talk about paying for popular education, or anything else of the kind; but we ought to consider what is best for education and for the community, not what is merely popular. We may fairly ask whether it is socially wise to take away more and more the responsibility of parents in connection with educational matters. We know—it is within my own experience from visits among the poorer classes—that they make sacrifices in order to give their children good education, that they have denied themselves things they would like to indulge in. Is it wise to do away with this feeling? I think it is a question that needs consideration. Mrs. Fawcett, I remember, in a brief but graphic article on the subject, said that, in her opinion, based upon practical knowledge, a great number of the poorest fathers resisted temptation to drink because of their desire and determination to do their utmost for the education of their children. She went on to say that, in her opinion, this incentive led to more temperance than the work of the Alliance and all the temperance associations combined. I give that as an opinion, not vouching for it, though I think it is likely to be correct. We must consider in connection with removing this responsibility from parents what has happened this last year. The Chancellor of the Exchequer stated that there had been an increase of payments to him for alcohol of £1,800,000, or a sum of nearly the amount of the school fees of the whole country. Taking the alcohol bill, if one glass in every 75 consumed by the people were saved it would produce the sum now paid in school fees. It does seem to me a grave subject for consideration whether it is socially wise thus to lessen the responsibility of parents, to reduce the restraints upon the poor against the increase of population and children they cannot possibly provide for. There is present to my mind an instance of a young man in a very humble position of life—a road scavenger. I had befriended him a good deal, but I found to my astonishment that he had married at the age of 19 or 20 and had two or three children, and died at about 23, leaving them, of course, to the mercy of the world. Is it wise, I ask again, to encourage such a disastrous state of affairs? In relieving parents of responsibility we enter upon very dangerous ground. I refer to this because I am sure these are social not party questions—they concern the social improvement of the great mass of the people.

(9.25.) MR. BROADHURST (Nottingham, W.): I think no part of the Queen's Speech will be more welcome than that which refers to the intention of the Government to do something to assist popular education. The hon. Gentleman who has just sat down deplores the possibility of this proposal begetting habits of imprudence among the people, and, possibly, imprudent and too early marriages. But the very object of education, as I understand it, is to prevent this evil, if it is an evil, or to lessen it to a great extent. The object of education is to enlighten the minds of the people—to raise them into a higher position socially and intellectually than they have occupied in the past. I think, then, the remarks of the hon. Member were entirely wide of the mark and do not bear a critical examination. I have said this proposal will be welcome to the great mass of the people, but this, of course, is providing there is no attempt whatever to endow any section or party—to favour in any way whatever one religious denomination as against another. If there is any attempt to endow any particular kind of education—to favour any particular religious denomination in their teaching—then the Government may be assured that their proposal will be carefully examined, resisted, and if possible defeated. But my object is to notice the unfortunate position created by the division of the subjects mentioned in the Queen's Speech into grades, and I regret to notice that while in the first grade Irish landlords are to have the first consideration of Her Majesty's Government, domestic matters affecting every workman, workwoman and child in the country are relegated to the third or fourth grade. I find the Employers' Liability Bill treated as only possibly a subject for consideration in case the Government may towards June or July find themselves without legislative occupation. Rather than waste time, they promise to consider this burning question of Employers' Liability.

That is the sense in which I understand the arrangement of subjects for possible legislation, and the respective values the Government have formed of them. I only wish to point out this, if the Employers' Liability Bill is of the same character as the Bill of last Session, it will be met in exactly the same spirit, and every possible means will be taken to prevent the Bill becoming law. But, if the Government have only progressed in opinion at the rate they did between 1888 and last Session, then we may look for a very good Bill, and if it should prove to be such a Bill then I can promise, so far as I can be of the least service, to use all my influence and efforts in assisting the Government to pass the measure. A bad, misleading Bill, such as that of last Session, will meet with every opposition, though you may be pleased to call it obstruction. The Bill of 1888 was treated with indifference by the Government, though they carried the Second Reading by a majority of 55, and in the next year it was not introduced at all, or not circulated. Last Session it was introduced at a very late period, and no attempt was made to promote a discussion upon it, the Government being too much engrossed with concern for the interests of Irish landlords and brewers, and now it is relegated to the third or fourth grade of importance. One other point I note with regret, the absence from the Speech of all reference to legislation for amending the law in relation to factories and workshops. A Committee has been sitting in the Lords, and an important Report has been made by it. The Home Secretary at the end of the Session of 1889 promised that the Government would deal with that Report, and would consider amendments to the present law in the Session of the present year. The first Session of 1890 has passed without any attempt whatever being made on the part of the Government to deal with the terrible evils exposed by that Committee and by other agencies, and the second Session of 1890 has commenced with a Queen's Speech mentioning subjects enough to last for the next seven years in the first, second, third, fourth, and fifth grades, but, so low and utterly insignificant is the question of factory and workshop legislation considered by the Government, that it is not even mentioned in the fifth grade amongst the possibilities of legislation this Session. I sincerely hope the Solicitor General will be good enough to relate to some of his lost and dispersed colleagues one or two of the points that have been raised if he thinks them sufficiently important to mention, and will warn them what they may expect if they are going to deal with such burning questions as employers' liability at some late period of the Session when the House is wearied and exhausted by its other work. Certainly, if they take such a course, they may look for the united and determined opposition of the representatives of labour.

*(9.33.) SIR R. TEMPLE (Worcester, Evesham): My reason for rising is to say a few words in support of the remarkably able speech of my hon. Friend the Member for North Islington (Mr. Bartley) on the important subject of free or assisted education. I endorse every word he said on the subject, whether viewed from an educational, a social, a moral, or a financial standpoint. I can support what he said about the effect of the collection of fees on regularity of attendance from the recent history of the School Board for London. Within the last year our fees have been falling off, and the collections have been unsatisfactory. Our average attendance has been often held up to the House by the right hon. Member for Sheffield (Mr. Mundella) as a model for all other educational institutions. But the attendance has been falling off simultaneously with the falling off of the fees. I cannot help connecting the two things. With regard to the financial effect of what is supposed to be the Government proposal, I assume that the idea of charging the additional sum that may be necessary as compensation for the loss of fees upon the local taxation is out of the question. I feel certain that the local taxpayers, who have to reckon up their pennies in the £1, will never consent to that. But, that being so, we have this extraordinary fact financially that the British taxpayer must, in the shape either of indirect or direct taxation, pay an additional sum of £2,000,000 or £2,500,000 to make up

for the loss of fees that are being collected all round without any perceptible burden on the mass of the parents and without being generally complained of. The hon. Member who just sat down spoke of the pauperising effect of the fees due from indigent parents being paid by the Guardians. But no such system is needful. In the metropolitan area those parents who are unable to pay have only to prove their inability to the School Board local authorities, and their children will be admitted to the schools free of fees without any difficulty. The number of such parents is, of course, limited. But if the fees are remitted to the parents universally, then somebody will have to pay; that somebody is the British taxpayer. In London the difficulty in the collection of the fees is owing partly to the condition of public opinion. The world, or rather an influential part of the world, seems to have determined that there shall be no fees. That reflects itself upon the policy of the School Board, and that, again, reflects itself upon the parents. Before this question was raised we had no difficulty in the metropolitan area in collecting the fees, and I do not believe that any other class of elementary schools has any difficulty. But if a Government so powerful and influential and worthy of respect as the present Government has determined to do away with school fees, I must support them in carrying out the measure for the general good, and in deference to public opinion, but I hope nothing will be done to endanger the stability of the voluntary system. On the contrary, I trust that the measure will help to consolidate the position of the voluntary schools, and to give them an enduring character of permanency. Entirely as I agree with my hon. Friend the Member for Islington in objecting to free education, I would myself, as things have gone so far, help the Government in carrying a measure in which I myself do not perfectly concur, and I would counsel my Parliamentary comrades to do the same. As a School Board man, I am brought very much into contact with managers of voluntary schools. Probably no one knows their anxieties and distresses so well, and I can assure the House that they well deserve all the assistance which can be given them, as they are most assiduous in their duties, and most anxious to make the voluntary schools as effective as possible. No cause is so sacred in their eyes, and no matter lies so deep in their hearts and affections as that of the voluntary school system. They know that with this system is bound up the cause of religious education—I will not say Scriptural education, because that is well given by the Board schools. The hon. Member who has just sat down expressed a hope that no exclusive assistance will be given to a particular denomination. Surely he knows that no exclusive assistance will be given to any particular denomination. All denominational schools must be treated alike—Church of England, Roman Catholic, Wesleyan, and others. It will bear the stamp of a long Catholic Christianity. I do hope if the measure is carried that it will do something really to make the voluntary system an institution of the future as it has been of the past and is of the present. It has been the pioneer of the early education of the English people. Up to the year 1870 it was the one great agency for elevating the masses of our countrymen. Under it our people became foremost in all world-wide enterprises, and attained the headship of the industrial world. Its history forms one of the brightest features and one of the most brilliant pages in the annals of England. It demonstrates the potency of private effort without State organisation. It is regarded as among the chief ornaments of our national inheritance, as one of the jewels in the Crown of England, and as a circumstance unique in the educational history of all nations in modern times.

*(9.41.) MR. CHANNING (Northampton, E.): I should not have taken part in the discussion but for some remarks which were made by the First Lord of the Treasury and for the very singular speeches of the hon. Member for Evesham (Sir R. Temple) and the hon. Member for Islington (Mr. Bartley). The First Lord of the Treasury has complained of the difficulties in which Her Majesty's Government is placed in carrying valuable measures by the obstruction they meet with in this House. I wish the House to note that the first signs of objection to the only measure Her

Majesty's Government has announced for the benefit and well-being of the people of England, has come from two hon. Members on his own side, who have opened a not ineffective masked battery upon the free education proposals mentioned in the Queen's Speech. Both hon. Members have declared that free education is an unclean thing, and that it is unsound socially and economically. The hon. Member for Evesham says one great objection to free education is that somebody will have to pay for it. I think the Government were right in putting into the Queen's Speech the word "burden." The fees have been a burden which have weighed sorely on the people of this country. One advantage in connection with the two speeches, to which I have just referred, is that on the first day of the Session we have the plainest intimation that the project of free education is regarded with hostility on its merits by Members opposite, and that the only reason on which they will consent to afford even qualified support to the scheme is that they hope they can use it as a means of consolidating the position of the voluntary schools, and of rivetting the chains of sectarianism around the poor of our country for ever. I venture to say that on this side of the House there will be the warmest appreciation of Her Majesty's Ministry in taking up the question of free education. As long as their proposals are on lines which we can approve, Her Majesty's Government will receive our warmest support. But if this project of free education is to be used in order to bolster up and support the position of the voluntary schools, if the purse-strings of the Treasury are to be loosened for the benefit of voluntary schools without any adequate guarantee, such as would be afforded by a universal system of School Boards, that the educational work of the country will be efficiently carried out, the Government proposals will meet hostility and opposition on this side of the House. With regard to the question of free or assisted education, is it to be understood that the proposals of the Government are to be limited to relieving the poor from fees within the compulsory standards? Are we to have relief up to the third standard only in those schools where unhappily that is the standard for exemption? Her Majesty's Government has had experience in dealing with this question in Scotland, and they know very well the difficulties that arose in remitting fees only in the lower standards. It simply amounts to imposing a fine, and a very effectual fine, upon the best class of parents—those who wish to keep their children at school and to educate them to higher points. We shall certainly resist the education proposals of the Government if we find they are to be carried out on the lines laid down by the two hon. Members who have spoken opposite, if there is to be no concession to the principle of popular control of schools whose revenues are to be assisted by public money, and if we find them doing away with the 17s. 6d. limit to relieve the pockets of the subscribers of voluntary schools. But if Her Majesty's Government would listen to reason, and will take the advice, for example, of wise leaders of religious opinion, like the Bishop of Peterborough, the Rev. W. Bury, and Dr. Percival, and will form a bridge towards a rational system of popular control where public money is involved, without prejudicing the cause of religious education, or interfering with any principle, it may be possible even in this Session and in this Parliament to arrive at some rational conclusion in regard to this matter. A good deal has been heard about obstruction, but I think the House and the country ought to be reminded of how the time was wasted in the last Session. The Government have placed themselves in a position of exceptional advantage in the Sessions of 1889 and 1890. In 1889 the House sat on 122 days, and there were 131 separate Sittings. Of these Sittings the Government took 106, whereas private Members had only 25 at their disposal. In the past Session the position was even worse. The House sat on 125 days, the total number of Sittings was 139, and the Government took 106 Sittings, leaving private Members but 23. The Returns of the Sittings show that the Government in both Sessions exactly doubled the allowance of time accorded to them by the usual custom of the House. If we take the discussions which resulted in nothing at all and were absolutely wasted in the 106 Sittings occupied by the Ministry, we find that they extended over from 40 to 43 days of Parliamentary time, or more than one-third of the whole of the Session. There were Debates on whether the publication of the forged letter was a breach of privilege, on the Special Commission, on the Land Purchase Bill.

MR. DEPUTY SPEAKER: I do not see how these statistics are relevant to the question before the House.

*MR. CHANNING: What I was wishing to prove, Mr. Deputy Speaker, was that Her Majesty's Ministry had taken too much of the time of the House during the past Session and had then complained of their failure to carry the legislation they proposed. The Government are themselves greatly to blame in introducing measures like the compensation of publicans scheme of last Session, which took up 22 days that might have been more usefully occupied; and the fact is there has been in the last two Sessions a greater encroachment on the rights of private Members than has ever been known in Parliamentary history. We have, therefore, little reason to give the Government further power to curtail the rights of private Members this year. The three principal measures are, one for endowing the Irish landlords with the money of the taxpayers, another for the maintenance of the power of the Church in regard to tithes, and the free education bill. They relegate many questions of practical importance to a wholly secondary position. I protest all the more against private Members being deprived of opportunities for carrying useful legislation, all the more strongly because we have had illustrations of the ease with which useful measures can be passed. The Housing of the Working Classes Act was carried after four hours had been devoted to it in this House and three Morning Sittings in a Grand Committee. We object to the bringing forward of such measures as those first mentioned in the Queen's Speech, instead of the introduction of proposals such as are relegated in that Speech to inferior positions.

(9.56.) COLONEL NOLAN (Galway, N.): I wish to call attention to one phase of the question of distress in Ireland which has not been referred to in the speech of the First Lord of the Treasury. The right hon. Gentleman seemed to focus his attention exclusively on what are called the congested districts. I would call attention to the fact that, although the distress is most severely felt in the congested districts, there is a large portion of Ireland in which it will be felt to a very considerable extent, although not with the same intensity. Speaking broadly, the districts to which I refer embrace the whole western half of Ireland. The phrase "congested districts" has been substituted for "scheduled districts," and means a very much smaller area of Ireland. Take the counties of Galway and Mayo. They comprise a very large portion of Ireland. The congested districts within those borders comprise the mountainous parts of Connemara and North Mayo. Although in the district I have indicated the people are not so poor as those in the mountainous districts which the Government propose to deal with, they nevertheless have to suffer a good deal from poverty, and, as far as I can see, no attention has been paid to the population of those large areas. I am fearful, therefore, of what may take place unless something is done for their relief. I may say that I do not anticipate any extraordinary accession to the numbers of that class of the poor who habitually come upon the poors rates, and so live upon their neighbours, but, as I have pointed out, there is a very large section of the population who, while hating to come under the Poor Law and being supported by their neighbours, will nevertheless find themselves without sufficient food or resources as the winter progresses. Some of them might indeed be able to hang on by selling their holdings, but by so doing they would bring themselves into a condition of permanent poverty, and they certainly will need some assistance—not perhaps so much as those in the congested districts, but still sufficient to enable them to carry on through the coming winter season. There are, of course, different ways of affording relief. In the first place the Government may do this by instituting a moderate amount of public works. There is also another way in which they may be assisted. It may be that, with the exception of Connemara and Galway, the Irish occupiers are generally able to stand the effects of one famine, but there can be no doubt that, apart from those places in which the potato disease is most extensive, there has been a considerable diminution of the potato crop in other districts, so that there must evidently be a large deficiency all round. It has always been the case in Ireland that when a particular class of potato goes bad that class continues to exhibit disease from year to year, so that next year we may, unless remedial steps are taken, expect to hear continued reports on the potato disease. Now, the Government have given no notice of their intention to take measures with regard to this matter. It is well known to potato growers in England and Scotland that the potato, being propagated artificially from cuttings and not from seed, requires, at stated times, to be changed, one variety being substituted for another, in addition to periodical changes of soil. Although this is done by the English and Scotch growers, it is not done by the small growers in the West of Ireland; and I fear there is no likelihood of such changes of seed or locality being made, unless the Government in some way or other steps in to the assistance of the growers. I do not suggest that they should give them the seed altogether, but, at any rate, they might sell it at a considerable modification of the ordinary prices. It is probable that fresh importations of good seed from England and Scotland would prove a sufficient remedy: at any rate it has been tried before and has been successful. Such a mode of assisting the people under existing circumstances would not cost the Government a very large amount, and I would suggest that they should take steps in this direction at the earliest possible moment. Having thus drawn the attention of the Government to this subject, I have only to say that if they do not adopt some action of the kind I have suggested, an immense responsibility will rest upon their shoulders. They are proposing to take up for some time to come the whole of the time which would otherwise be at the disposal of private Members, and in that way they will prevent any private Member from bringing forward a proposal of this nature. If the Government will undertake to bring on a measure themselves, I for one should not so much object to their taking up the time for private business. If they will not do this, then, as I have just said, they are taking upon themselves a very heavy responsibility. I do not ask them to bring on a measure immediately, because I know that the matter is one of considerable importance, and one that would necessarily require a good deal of consideration on their part before they could frame or bring forward a measure upon the subject, but I trust they will afford us some assurance that the question shall be brought forward and discussed in this House.

(10.10.) DR. CLARK (Caithness): I had intended to have moved an Amendment to the Address, but I am not quite sure whether I should be exactly in order in so doing. It seems to me that we ought to arrive at some better system of conducting our business, and this, I think, is proved by the fact that we are summoned here late in the autumn for the purpose of doing work which we ought to have carried through during the past Session. It seems to me perfectly impossible for this Parliament to carry on the enormous amount of important work it has to perform under existing circumstances, and whenever the Government gives me time to bring the matter forward it will be my duty to introduce a measure relative to a system of devolution in regard to the business of England, Scotland, Ireland, and Wales, whereby, I think, the time of the House would be materially saved, and the Imperial Parliament would be enabled to get through the more important measures brought before us. Under the circumstances, however, I think it would be better to postpone the subject until private Members are allowed by the Government to introduce and discuss those questions which they desire to bring forward.

Question put, and agreed to.

Address ordered to be presented by Privy Councillors.

House adjourned at a quarter
after Ten o'clock.

HOUSE OF COMMONS,

Wednesday, 26th November, 1890.

MR. SPEAKER'S CONTINUED ABSENCE.

The House being met, the Clerk at the Table informed the House of the unavoidable absence of Mr. Speaker:—

Whereupon Mr. Courtney, the Chairman of Ways and Means, proceeded to the Table; and, after Prayers, took the Chair as Deputy Speaker, pursuant to the Standing Order.

MOTIONS.

LIQUOR TRAFFIC LOCAL VETO (WALES) BILL.

On Motion of Mr. Bowen Rowlands, Bill to enable owners and occupiers in Wales to have effectual control over the liquor traffic, ordered to be brought in by Mr. Bowen Rowlands, Mr. Alfred Thomas, Mr. Esslemont, Mr. Thomas Ellis, Mr. Bryn Roberts, and Mr. Samuel Smith.

Bill presented, and read first time. [Bill 1.]

FACTORY AND WORKSHOPS ACT (1878) AMENDMENT BILL.

On Motion of Sir Henry James, Bill to amend "The Factory and Workshops Act, 1878," ordered to be brought in by Sir Henry James, Sir William Houldsworth, Viscount Cranborne, Mr. Mundella, Sir Henry Roscoe, Mr. Mather, Mr. Mowbray, Mr. Howell, and Mr. Byron Reed.

Bill presented, and read first time. [Bill 2.]

PAROCHIAL BOARDS (SCOTLAND) BILL.

On Motion of Dr. Cameron, Bill to reform the constitution of Parochial Boards in Scotland and the mode of electing the members of such Boards, ordered to be brought in by Dr. Cameron, Mr. Barclay, Mr. Shiress Will, Dr. Farquharson, Mr. Esslemont, and Mr. Mackintosh.

Bill presented, and read first time. [Bill 3.]

RELIGIOUS DISQUALIFICATIONS REMOVAL BILL.

On Motion of Mr. Gladstone, Bill to remove the disabilities of Roman Catholics to hold the offices of Lord Chancellor of Great Britain and Lord Lieutenant of Ireland, ordered to be brought in by Mr. Gladstone, Mr. Campbell-Bannerman, Mr. John Morley, Sir Horace Davey, and Mr. Asquith.

Bill presented, and read first time. [Bill 4.]

CONVEYANCING AND LAW OF PROPERTY ACT (1881) AMENDMENT BILL.

On Motion of Mr. Thomas Henry Bolton, Bill to amend "The Conveyancing and Law of Property Act, 1881," with reference to leaseholds, ordered to be brought in by Mr. Thomas Henry Bolton, Mr. Warmington, Mr. Kimber, and Mr. Cobb.

Bill presented, and read first time. [Bill 5.]

LIQUOR TRAFFIC LOCAL VETO BILL.

On Motion of Mr. Henry J. Wilson, Bill for entrusting localities with the direct popular Veto on the Liquor Traffic, ordered to be brought in by Mr. Henry J. Wilson, Mr. Allison, Mr. Jacob Bright, Mr. Burt, Sir Walter Foster, Mr. Jacoby, Mr. Octavius V. Morgan, and Mr. Rowntree.

Bill presented, and read first time. [Bill 6.]

SMALL HOLDINGS BILL.

On Motion of Mr. Jesse Collings, Bill to facilitate the creation of Small Holdings in land, ordered to be brought in by Mr. Jesse Collings, Mr. Robert Reid, Mr. Burt, Sir Henry Selwin-Ibbetson, Mr. Broadhurst, Colonel Cotton, Mr. Cyril Flower, and Mr. Hobhouse.

Bill presented, and read first time. [Bill 7.]

PLACES OF WORSHIP ENFRANCHISEMENT BILL.

On Motion of Mr. Samuel Evans, Bill to provide for the Enfranchisement of Leasehold Places of Worship, ordered to be brought in by Mr. Samuel Evans, Mr. Halley Stewart, Mr. James Rowlands, Mr. Lloyd-George, Mr. Bryn Roberts, Mr. Waddy, and Mr. Randell.

Bill presented, and read first time. [Bill 8.]

MARRIAGE WITH A DECEASED WIFE'S SISTER BILL.

On Motion of Mr. John Kelly, Bill to amend and alter the Law as to Marriage with a Deceased Wife's Sister, ordered to be brought in by Mr. John Kelly, Mr. Heneage, Mr. Herbert Gardner, Mr. T. W. Russell, Mr. Broadhurst, Mr. Arthur Elliot, Mr. Robert Reid, Mr. Gray, Mr. Seager Hunt, Mr. Oldroyd, and Mr. Boulnois.

Bill presented, and read first time. [Bill 9.]

HARES BILL.

On Motion of Colonel Dawnay, Bill to provide a Close Time for Hares during the Breeding Season, ordered to be brought in by Colonel Dawnay, Sir John Lubbock, Sir Joseph Pease, Mr. Dillwyn, Mr. Lawson, and Mr. Bonsor.

Bill presented, and read first time. [Bill 10.]

LEASEHOLDERS ENFRANCHISEMENT BILL.

On Motion of Mr. James Rowlands, Bill to give facilities to Leaseholders for the purchase of the Fee Simple of their Holdings, ordered to be brought in by Mr. James Rowlands, Mr. Lawson, Mr. Broadhurst, Mr. Robert Reid, Mr. Warmington, Sir John Puleston, and Mr. Thomas Ellis.

Bill presented, and read first time. [Bill 11.]

ROADS AND STREETS IN POLICE BURGHS (SCOTLAND) BILL.

On Motion of Mr. Hugh Elliot, Bill to amend the Law relating to Roads and Streets in Police Burghs in Scotland, ordered to be brought in by Mr. Hugh Elliot, Mr. Asher, Mr. Barclay, Mr. Shiress Will, and Mr. Sinclair.

Bill presented, and read first time. [Bill 12.]

An Asterisk at the commencement of a Speech indicates revision by the Member.
by Contract with H.M.'s Government.

MINES (EIGHT HOURS) BILL.

On Motion of Mr. William Abraham, Bill to restrict labour in Mines to Eight Hours per day, ordered to be brought in by Mr. William Abraham, Mr. Pickard, Mr. Randell, Mr. Cuninghame Graham, Mr. Philipps, Mr. Cremer, Mr. Jacoby, Mr. Spencer Balfour, Mr. Samuel Evans, Mr. Alfred Thomas, Mr. Arthur Acland, Mr. Pritchard Morgan, and Mr. Conybeare.

Bill presented, and read first time. [Bill 13.]

TOWN HOLDINGS BILL.

On Motion of Mr. Lawson, Bill to give compensation to occupying tenants of Town Holdings for beneficial improvements, ordered to be brought in by Mr. Lawson, Mr. James Rowlands, Mr. David Thomas, and Earl Compton.

Bill presented, and read first time. [Bill 14.]

CONSPIRACY LAW AMENDMENT BILL.

On Motion of Mr. Edmund Robertson, Bill to amend the Law of Conspiracy, ordered to be brought in by Mr. Edmund Robertson, Mr. Shaw Lefevre, Mr. Broadhurst, and Mr. William Hunter.

Bill presented, and read first time. [Bill 15.]

RATING OF MACHINERY BILL.

On Motion of Mr. Edward Knatchbull-Hugessen, Bill to amend the Law relating to the Rating of Hereditaments containing Machinery, ordered to be brought in by Mr. Edward Knatchbull-Hugessen, Sir Bernhard Samuelson, Sir William Houldsworth, Mr. Winterbotham, Mr. Gerald Balfour, and Mr. Tomlinson.

Bill presented, and read first time. [Bill 16.]

REGISTRATION OF ELECTORS ACTS AMENDMENT BILL.

On motion of Mr. Knowles, Bill for the removal of doubts arising under the Registration of Electors Acts; and for other purposes, ordered to be brought in by Mr. Knowles, Mr. William Cross, Colonel Hill, Mr. Hobhouse, Sir William Houldsworth, and Sir Ughtred Kay-Shuttleworth.

Bill presented, and read first time. [Bill 17.]

RATING OF MACHINERY (No. 2) BILL.

On Motion of Mr. H. S. Wright, Bill to amend the Law relating to the Rating of Hereditaments containing Machinery, ordered to be brought in by Mr. H. S. Wright, Mr. Oldroyd, Mr. T. Harrop Sidebottom, Mr. Herbert Gladstone, Mr. J. A. Bright, Mr. Mather, and Mr. Mowbray.

Bill presented, and read first time. [Bill 18.]

RELIGIOUS EQUALITY BILL.

On Motion of Mr. Conybeare, Bill to remove certain grievances of the Nonconformists under the Marriage and Burials Acts, ordered to be brought in by Mr. Conybeare, Mr. William M'Arthur, Mr. Seale-Hayne, Mr. Alfred Thomas, and Mr. Samuel Evans.

Bill presented, and read first time. [Bill 19.]

MINING ACCIDENTS INSURANCE (SCOTLAND) BILL.

On motion of Mr. Baird, Bill to provide for a system of National Insurance against Accidents in Mines in Scotland, ordered to be brought in by Mr. Baird, Mr. Vernon, Mr. Hozier, Mr. Hugh Elliot, and Mr. Parker Smith.

Bill presented, and read first time. [Bill 20.]

PARLIAMENTARY FRANCHISE (EXTENSION TO WOMEN) BILL.

On motion of Mr. Woodall, Bill to extend the Parliamentary Franchise to duly qualified Women, ordered to be brought in by Mr. Woodall, Baron Dimsdale, Mr. Illingworth, Mr. Walter M'Laren, Mr. Maclure, Mr. Stansfeld, and Sir Richard Temple.

Bill presented, and read first time. [Bill 21.]

FISHERIES REGULATION (SCOTLAND) BILL.

On motion of Mr. Marjoribanks, Bill for the establishment of district fishery committees in Scotland, for the introduction of a representative element into the Scottish Fishery Board, and for the regulation and development of Scottish mussel and bait beds, ordered to be brought in by Mr. Marjoribanks, Mr. Duff, Mr. Shiress Will, Mr. Finlay, Colonel Malcolm, and Mr. Angus Sutherland.

Bill presented, and read first time. [Bill 22.]

PIG IRON WARRANTS BILL.

On motion of Mr. Hingley, Bill to regulate dealings in Pig Iron Warrants, ordered to be brought in by Mr. Hingley, Mr. Ainslie, and Mr. Isaac Wilson.

Bill presented, and read first time. [Bill 23.]

PARLIAMENTARY VOTERS' REGISTRATION BILL.

On Motion of Mr. Cremer, Bill for the better registration of Parliamentary Voters; and for other purposes, ordered to be brought in by Mr. Cremer, Mr. Abraham (Rhondda), Mr. Burt, Mr. Fenwick, Mr. Pickard, Mr. James Rowlands, and Mr. John Wilson (Durham).

Bill presented, and read first time. [Bill 24.]

METROPOLITAN WATER COMPANIES' CHARGES BILL.

On Motion of Mr. Causton, Bill to regulate the Charges leviable by Companies supplying Water within the administrative county of London, ordered to be brought in by Mr. Causton, Mr. Beaufoy, Mr. Thomas Henry Bolton, Mr. Sydney Buxton, Mr. Cremer, Mr. Howell, Mr. Lawson, Mr. Montague, Mr. Octavius V. Morgan, Mr. Pickersgill, Mr. James Rowlands, and Mr. James Stuart.

Bill presented, and read first time. [Bill 25.]

LONDON WATER (METER) BILL.

On Motion of Mr. Gainsford Bruce, Bill to provide for the supply by meter of Water for domestic purposes within the limits of supply of the London Water Companies, ordered to be brought in by Mr. Gainsford Bruce, Mr.

Blundell Maple, Sir Algernon Borthwick, Sir Albert Rollit, Mr. Baumann, Mr. Theobald, and Mr. Howard.

Bill presented, and read first time. [Bill 26.]

FRANCHISES (IRELAND) BILL.

On motion of Mr. P. J. Power, Bill to amend the Law relating to Franchises in Ireland, ordered to be brought in by Mr. P. J. Power, Mr. Clancy, Mr. Richard Power, Mr. Maurice Healy, and Mr. Sexton.

Bill presented, and read first time. [Bill 27.]

BOILERS' REGISTRATION BILL.

On motion of Sir William Houldsworth, Bill for the registration and inspection of Boilers, ordered to be brought in by Sir William Houldsworth, Mr. Maclean, Mr. Mather, and Mr. Burt.

Bill presented, and read first time. [Bill 28.]

PRISONERS (IRELAND) BILL.

On motion of Mr. Condon, Bill to amend the Laws relating to the treatment of prisoners in Ireland, ordered to be brought in by Mr. Condon, Mr. Sexton, Mr. Arthur O'Connor, Mr. John O'Connor, and Mr. Sheehy.

Bill presented, and read first time. [Bill 29.]

EMPLOYERS' LIABILITY ACT (1880) AMENDMENT BILL.

On Motion of Mr. Burt, Bill to amend "The Employers' Liability Act, 1880," ordered to be brought in by Mr. Burt, Mr. Broadhurst, Mr. Joicey, Mr. Haldane, and Mr. Lockwood.

Bill presented, and read first time. [Bill 30.]

ELEMENTARY EDUCATION (CONTINUATION SCHOOLS) BILL.

On motion of Mr. Mather, Bill to amend the Elementary Education Acts, and to provide Continuation Schools, ordered to be brought in by Mr. Mather, Mr. Samuel Smith, Sir Henry Roscoe, Sir George Baden-Powell, Sir John Puleston, Sir John Lubbock, Mr. John Morley, Mr. Bryce, Mr. Cyril Flower, Mr. Fisher, Mr. Picton, and Mr. Howell.

Bill presented, and read first time. [Bill 31.]

PARLIAMENTARY VOTERS' REGISTRATION (IRELAND) BILL.

On motion of Mr. Pinkerton, Bill to alter and amend the Law relating to the Registration of Parliamentary Voters in Ireland, ordered to be brought in by Mr. Pinkerton, Mr. Sexton, Mr. T. M. Healy, Mr. Clancy, Mr. Kenny, Mr. Maurice Healy, and Mr. M'Cartan.

Bill presented, and read first time. [Bill 32.]

UNIVERSITY EDUCATION (IRELAND) BILL.

On Motion of Mr. Tuite, Bill to amend the Law relating to University Education in Ireland, ordered to be brought in by Mr. Tuite, Mr. Parnell, Mr. Sexton, Mr. Dillon, and Mr. Timothy Harrington.

Bill presented, and read first time. [Bill 33.]

INTOXICATING LIQUORS (IRELAND) BILL.

On Motion of Mr. Lea, Bill to amend the Law relating to the Sale of Intoxicating Liquors in Ireland on Saturday and Sunday, and other purposes connected therewith, ordered to be brought in by Mr. Lea, Mr. T. W. Russell, Mr. Arthur O'Connor, Colonel Saunderson, Mr. John Redmond, Mr. Johnston, Mr. Jordan, Sir James Corry, Mr. Maurice Healy, Mr. Mahony, Mr. De Cobain, and Mr. John Corbet.

Bill presented, and read first time. [Bill 34.]

SUNDAY CLOSING (WALES) ACT (1881) AMENDMENT BILL.

On Motion of Mr. Roberts, Bill to amend "The Sunday Closing (Wales) Act, 1881," ordered to be brought in by Mr. Roberts, Mr. Osborne Morgan, Sir Hussey Vivian, Mr. Bryn Roberts, Mr. Arthur Williams, and Mr. Samuel Smith.

Bill presented, and read first time. [Bill 35.

RETURNING OFFICERS' EXPENSES BILL.

On Motion of Mr. Esslemont, Bill to provide for the payment of Expenses to be incurred by Returning Officers at Parliamentary Elections, ordered to be brought in by Mr. Esslemont, Sir George Trevelyan, Mr. Marjoribanks, Dr. Farquharson, Mr. Mackintosh, Mr. M'Ewan, and Mr. Munro Ferguson.

Bill presented, and read first time. [Bill 36.]

LEASEHOLDERS (IRELAND) BILL.

On Motion of Mr. W. A. Macdonald, Bill to amend the Law relating to Leaseholders in Ireland, ordered to be brought in by Mr. W. A. Macdonald, Mr. Sexton, Mr. M'Cartan, Mr. Clancy, Mr. Crilly, and Mr. Flynn.

Bill presented, and read first time. [Bill 37.]

NATIONAL SCHOOL TEACHERS (IRELAND) BILL.

On Motion of Mr. Dalton, Bill to improve the condition of National School Teachers in Ireland, ordered to be brought in by Mr. Dalton, Mr. Sexton, Mr. John O'Connor, Mr. Conway, and Mr. Knox.

Bill presented, and read first time. [Bill 38.]

SLAUGHTER HOUSES, &C. (METROPOLIS) ACT (1874) AMENDMENT BILL.

On Motion of Sir John Colomb, Bill to amend "The Slaughter Houses, &c. (Metropolis) Act, 1874," ordered to be brought in by Sir John Colomb, Mr. James Stuart, Mr. Bartley, and Mr. Lawson.

Bill presented, and read first time. [Bill 39.]

TECHNICAL INSTRUCTION BILL.

On Motion of Sir Henry Roscoe, Bill to amend the Law relating to Technical Instruction, ordered to be brought in by Sir Henry Roscoe, Mr. Arthur Acland, Sir Albert Rollit, and Mr. Mather.

Bill presented, and read first time. [Bill 40.]

POOR LAW GUARDIANS (IRELAND) BILL.

On Motion of Mr. Blane, Bill to amend the Law relating to the constitution and election of Boards of Poor Law Guardians in Ireland, ordered to be brought in by Mr. Blane, Mr. M'Cartan, and Mr. T. M. Healy.

Bill presented, and read first time. [Bill 41.]

JURORS (IRELAND) BILL.

On Motion of Mr. Conway, Bill to amend the Law relating to Jurors in Ireland, ordered to be brought in by Mr. Conway, Mr. T. M. Healy, Mr. Sexton, Mr. Arthur O'Connor, and Mr. Kilbride.

Bill presented, and read first time. [Bill 42.]

BURIALS BILL.

On Motion of Mr. Osborne Morgan, Bill to further amend the Burial Laws, ordered to be brought in by Mr. Osborne Morgan, Mr. Channing, Mr. John Ellis, Mr. Illingworth, and Mr. Morton.

Bill presented, and read first time. [Bill 43.]

ELECTORS' QUALIFICATION AND REGISTRATION BILL.

On Motion of Mr. Stansfeld, Bill to amend the Law with respect to the Qualification and Registration of Electors at Parliamentary, municipal, and county elections in England and Wales, ordered to be brought in by Mr. Stansfeld, Mr. Childers, and Sir Charles Russell.

Bill presented, and read first time. [Bill 44.]

CANAL DEVELOPMENT BILL.

On Motion of Mr. Philip Stanhope, Bill to promote the development of Canals in the United Kingdom, ordered to be brought in by Mr. Philip Stanhope, Mr. Robert Reid, Mr. Hunter, Mr. Brunner, Sir Albert Rollit, Mr. Spencer Balfour, and Lord Francis Hervey.

Bill presented, and read first time. [Bill 45.]

TITHES (IRELAND) BILL.

On Motion of Mr. Penrose FitzGerald, Bill to amend the Law relating to Tithes in Ireland, ordered to bo brought in by Mr. Penrose FitzGerald, Colonel Saunderson, Colonel Waring, Mr. T. W. Russell, Mr. Macartney, and Mr. Smith Barry.

Bill presented, and read first time. [Bill 46.]

BREACH OF PROMISE OF MARRIAGE BILL.

On Motion of Sir Roper Lethbridge, Bill to abolish actions for Breach of Promise of Marriage, ordered to be brought in by Sir Roper Lethbridge, Mr. Lockwood, Mr. Bryce, Dr. Commins, and Colonel Makins.

Bill presented, and read first time. [Bill 47.]

TEACHERS' REGISTRATION BILL.

On Motion of Mr. Arthur Acland, Bill to provide for the registration of Teachers, ordered to be brought in by Mr. Arthur Acland, Mr. Sydney Buxton, and Mr. Hobhouse.

Bill presented, and read first time. [Bill 48.]

SCHOOL BOARD FOR LONDON (SUPERANNUATION) BILL.

On Motion of Sir Richard Temple, Bill to enable the School Board for London to carry out a scheme for granting Superannuation Allowances, ordered to be brought in by Sir Richard Temple, Sir Ughtred Kay-Shuttleworth, Mr. Sydney Buxton, Colonel Hughes, and Mr. Wootton Isaacson.

Bill presented, and read first time. [Bill 49.]

ELECTION EXPENSES BILL.

On Motion of Mr. Murphy, Bill to amend the Law relating to Election Expenses, ordered to be brought in by Mr. Murphy, Mr. Donal Sullivan, Mr. Dickson, and Mr. Deasy.

Bill presented, and read first time. [Bill 50.]

LONDON TAXATION BILL.

On Motion of Mr. Montagu, Bill to provide for more equitable taxation in the Administrative County of London, ordered to be brought in by Mr. Montagu, Mr. Thomas Henry Bolton, Mr. Sydney Buxton, Mr. Lawson, and Mr. James Stuart.

Bill presented, and read first time. [Bill 51.]

LIQUOR LAWS (SCOTLAND) BILL.

On Motion of Mr. Leng, Bill to amend the Liquor Laws of Scotland, and more especially with reference to Dealers' or Grocers' Certificates, ordered to be brought in by Mr. Leng, Mr. M'Lagan, Sir John Kinloch, Mr. John Wilson (Govan), and Mr. Esslemont.

Bill presented, and read first time. [Bill 52.]

SEED POTATOES (IRELAND) BILL.

On Motion of Colonel Nolan, Bill to enable Guardians of the Poor to borrow money for the purpose of procuring Seed Potatoes for tenants and occupiers in Ireland, and for other purposes, ordered to be brought in by Colonel Nolan, Mr. Sexton, Mr. Labouchere, Dr. Cameron, Mr. Edward Harrington, Mr. Crilly, Mr. M'Donald, and Mr. Donal Sullivan.

Bill presented, and read first time. [Bill 53.]

COUNTY CESS (IRELAND) BILL.

On Motion of Mr. Knox, Bill to amend the Law relating to the incidence of the County Cess in Ireland, ordered to be brought in by Mr. Knox, Mr. Clancy, Mr. M'Cartan, and Mr. Maurice Healy.

Bill presented, and read first time. [Bill 54.]

LABOURERS (IRELAND) ACTS AMENDMENT (No. 2) BILL.

On Motion of Colonel Waring, Bill to amend the Labourers (Ireland) Acts, ordered to be brought in by Colonel Waring, Mr. Mulholland, Mr. Macartney, and Mr. O'Neil.

Bill presented, and read first time. [Bill 55.

CATHEDRAL CHURCHES BILL.

On Motion of Sir Charles Dalrymple, Bill to provide for making Statutes respecting Deans and Chapters and Cathedral Churches in England; and for other purposes relating thereto, ordered to be brought in by Sir Charles Dalrymple, Sir Matthew White Ridley, Mr Charles Acland, and Mr. MacInnes.

Bill presented, and read first time. [Bill 56.]

LOCAL AUTHORITIES (SCOTLAND) LOANS BILL.

On Motion of Mr. Finlay, Bill to provide increased facilities for the raising of money by Local Authorities in Scotland by the issue of debentures, stock, and otherwise, ordered to be brought in by Mr. Finlay, Mr. Asquith, Mr. Arthur Elliot, Mr. Haldane, Mr. Mark Stewart, and Colonel Malcolm.

Bill presented, and read first time. [Bill 57.]

OCCUPYING TENANTS' ENFRANCHISEMENT BILL.

On Motion of Mr. Bartley, Bill to enable Occupying Tenants of houses and places of business to purchase the fee simple of their holdings, ordered to be brought in by Mr. Bartley, Sir John Colomb, Mr. Seager Hunt, and General Goldsworthy.

Bill presented, and read first time. [Bill 58.]

VOLUNTARY SCHOOLS (REPRESENTATIVE MANAGEMENT) BILL.

On Motion of Mr. Charles Acland, Bill to facilitate the Representative Management of Voluntary Schools, ordered to be brought in by Mr. Charles Acland, Mr. Robert Reid, Mr. Fuller, Sir Matthew White Ridley, and Mr. Heneage.

Bill presented, and read first time. [Bill 59.]

INDUSTRIAL SCHOOLS (IRELAND) BILL.

On Motion of Mr. Peter M'Donald, Bill to establish Industrial Schools in connection with Poor Law Unions in Ireland, ordered to be brought in by Mr. Peter M'Donald, Colonel Nolan, Mr. Cox, Dr. Fitzgerald, Mr. Flynn, and Mr. Tuite.

Bill presented, and read first time. [Bill 60.]

FACTORY AND WORKSHOPS ACT (1878) AMENDMENT (NO. 2) BILL.

On Motion of Mr. Sydney Buxton, Bill to extend "The Factory and Workshop Act, 1878," ordered to be brought in by Mr. Sydney Buxton, Mr. James Stuart, Mr. Lawson, and Mr. Montagu.

Bill presented, and read first time. [Bill 61.]

LIFE AND PROPERTY PRESERVATION BILL.

On Motion of Mr. Dixon-Hartland, Bill for the better Preservation of Life and Property in the United Kingdom, ordered to be brought in by Mr. Dixon-Hartland and Mr. Agg-Gardner.

Bill presented, and read first time. [Bill 62.]

STREET ORGANS (METROPOLIS) BILL.

On Motion of Mr. Jacoby, Bill to limit the hours of Street Organs and other street music in the Metropolis, ordered to be brought in by Mr. Jacoby, Sir John Lubbock, Sir Guyer Hunter, Mr. Staveley Hill, Mr. John Kelly, and Mr. Norris.

Bill presented, and read first time. [Bill 63.]

REGISTRATION OF VOTERS (SCOTLAND) BILL.

On Motion of Mr. Shiress Will, Bill to amend the Law relating to the qualification and registration of Parliamentary Voters and to Parliamentary Elections in Scotland; and for other purposes in relation thereto, ordered to be brought in by Mr. Shiress Will, Mr. Campbell-Bannerman, Mr. J. B. Balfour, Mr. Buchanan, Dr. Cameron, Mr. Donald Crawford, Dr. Farquharson, Mr. Hunter, and Mr. Leng.

Bill presented, and read first time. [Bill 64.]

CHEAP TRAINS (LONDON) BILL.

On Motion of Mr. Theobald, Bill to make better provision as respects the administrative County of London for Cheap Workmen's Trains, ordered to be brought in by Mr. Theobald, Mr. Blundell Maple, Sir Algernon Borthwick, Sir Robert Fowler, Sir Roper Lethbridge, Mr. Baumann, Mr. Gainsford Bruce, Mr. Boulnois, Mr. Howard, Mr. Lafone, and Sir Albert Rollit.

Bill presented, and read first time. [Bill 65.]

DRAINAGE AND IMPROVEMENT OF LAND (IRELAND) BILL.

On Motion of Mr. Maurice Healy, Bill to amend the Law relating to the Drainage and Improvement of Land in Ireland, ordered to be brought in by Mr. Maurice Healy, Mr. Chance, Mr. Deasy, and Mr. T. M. Healy.

Bill presented, and read first time. [Bill 66.]

INDIAN COUNCILS ACT (1861) AMENDMENT BILL.

On Motion of Mr. Bradlaugh, Bill to amend "The Indian Councils Act, 1861," ordered to be brought in by Mr. Bradlaugh, Mr. Bernard Coleridge, Mr. Justin M'Carthy, Mr. M'Laren, Mr. John Ellis, Mr. Hunter, and Mr. Robert Reid.

Bill presented, and read first time. [Bill 67.]

TENANCIES RATING BILL.

On Motion of Mr. Seale-Hayne, Bill to divide Rates between Landlord and Tenant, ordered to be brought in by Mr. Seale-Hayne, Mr. Charles Acland, Mr. Channing, Mr. Cobb, Sir Bernard Samuelson, and Mr. Halley Stewart.

Bill presented, and read first time. [Bill 68.]

LAW AGENTS (SCOTLAND) BILL.

On Motion of Mr. Caldwell, Bill to amend the Law relating to Law Agents practising in Scotland, ordered to be brought in by Mr. Caldwell, Mr. M'Lagan, Mr. James Campbell, and Mr. Mackintosh.

Bill presented, and read first time. [Bill 69.]

POOR RATE (METROPOLIS) BILL.

On Motion of Mr. Pickersgill, Bill to equalise the Poor Rate over the Metropolis, ordered to be brought in by Mr. Pickersgill, Mr. Howell, Mr. Causton, Mr. Sydney Buxton, Mr. Cremer, Mr. James Rowlands, and Mr. Montagu.

Bill presented, and read first time. [Bill 70.]

LONDON SCHOOL BOARD ELECTIONS BILL.

On Motion of Mr. Blundell Maple, Bill to assimilate the electoral divisions of the London School Board to those for Parliamentary and County Council purposes, ordered to be brought in by Mr. Blundell Maple, Sir Richard Temple, Sir Algernon Borthwick, Sir Albert Rollit, Mr. Lawson, Mr. Richard Chamberlain, Mr. Baumann, and Mr. Isaacs.

Bill presented, and read first time. [Bill 71.]

SALE OF INTOXICATING LIQUORS ON SUNDAY BILL.

On Motion of Mr. James Stevenson, Bill to prohibit the Sale of Intoxicating Liquors on Sunday, ordered to be brought in by Mr. James Stevenson, Mr. Charles Wilson, Mr. Walter James, Mr. Cozens-Hardy, Mr. Atkinson, and Mr. Octavius V. Morgan.

Bill presented, and read first time. [Bill 72.]

CROFTERS' HOLDINGS (SCOTLAND) BILL.

On Motion of Mr. Keay, Bill to extend and amend the Crofters' Holdings (Scotland) Acts, ordered to be brought in by Mr. Keay, Dr. Farquharson, Dr. Clark, Mr. Cuninghame Graham, and Mr. Hunter.

Bill presented, and read first time. [Bill 73.]

RATING OF SCHOOLS BILL.

On Motion of Mr. Powell, Bill to provide for the exemption of Public Elementary Schools from the Payment of Rates, ordered to be brought in by Mr. Powell, Mr. Heneage, Viscount Cranborne, Sir Richard Paget, Mr. de Lisle, Colonel Eyre, Mr. Hinckes, Mr. Samuel Hoare, Mr. Howorth, Mr. Lawrence, Mr. John O'Connor, Mr. Jasper More, and Mr. Talbot.

Bill presented, and read first time. [Bill 74.]

BEER ADULTERATION BILL.

On Motion of Colonel Kenyon-Slaney, Bill for better securing the Purity of Beer, ordered to be brought in by Colonel Kenyon-Slaney, Sir Edward Birkbeck, Baron Dimsdale, Mr. Round, and Mr. Fellowes.

Bill presented, and read first time. [Bill 75.]

POISONED FLESH PROHIBITION ACT (1864) AMENDMENT BILL.

On Motion of Mr. Francis Stevenson, Bill to amend "The Poisoned Flesh Prohibition Act, 1864," ordered to be brought in by Mr. Francis Stevenson, Mr. Herbert Gardner, Mr. Newnes, Mr. Channing, and Mr. Buxton.

Bill presented, and read first time. [Bill 76.]

BUILDING FEUS AND LEASES (SCOTLAND) BILL.

On Motion of Mr. Donald Crawford, Bill to amend the Law relating to Feus and Leases for Building in Scotland, ordered to be brought in by Mr. Donald Crawford, Mr. Bryce, Mr. Munro Ferguson, and Mr. Philipps.

Bill presented, and read first time. [Bill 77.]

COMPANIES ACT (1862) AMENDMENT BILL.

On Motion of Mr. Hoyle, Bill to amend "The Companies Act, 1862," ordered to be brought in by Mr. Hoyle.

CROFTERS' HOLDINGS (SCOTLAND) (NO. 2) BILL.

On Motion of Dr. Clark, Bill to amend the Crofters' Holdings (Scotland) Acts, ordered to be brought in by Dr. Clark, Mr. Angus Sutherland, Dr. M'Donald, and Mr. Mackintosh.

Bill presented, and read first time. [Bill 78.]

DRAINAGE SEPARATION BILL.

On Motion of Mr. Stephens, Bill to enable Local Authorities to deal separately with the sewage and the drainage of their districts, ordered to be brought in by Mr. Stephens, Mr. Hastings, Sir Henry Roscoe, Sir Guyer Hunter, Mr. Shiress Will, Mr. Isaacs, Mr. Ambrose, Mr. Tatton Egerton, and Mr. Tomlinson.

Bill presented, and read first time. [Bill 79.]

SOLICITORS' MAGISTRACY BILL.

On Motion of Mr. Maclure, Bill to enable Solicitors of the High Court to act as County Justices, ordered to be brought in by Mr. Maclure, Sir Albert Rollit, Mr. Lawson, Mr. Leng, and Mr. Maurice Healy.

Bill presented, and read first time. [Bill 80.]

RAILWAY COMPANIES RETURN TICKETS BILL.

On Motion of Mr. Morton, Bill to enable Passengers in Railway Trains and on Steamboats, &c., to make use of Return Tickets at any time after the date of issue, ordered to be brought in by Mr. Morton, Mr. Caldwell, Mr. Causton, Dr. Clark, Mr. Lloyd Morgan, and Dr. Tanner.

Bill presented, and read first time. [Bill 81.]

COAL MINES REGULATION ACT (1887) AMENDMENT BILL.

On Motion of Mr. Pickard, Bill to amend "The Coal Mines Regulation Act, 1887," ordered to be brought in by Mr. Pickard, Mr. Jacoby, Mr. Cremer, and Mr. Cuninghame Graham.

Bill presented, and read first time. [Bill 82.]

PAYMENT OF MEMBERS BILL.

On Motion of Mr. Fenwick, Bill to restore the practice of Payment of Members, ordered to be brought in by Mr. Fenwick, Mr. Burt, Mr. Cobb, Mr. Munro Ferguson, and Sir Wilfrid Lawson.

Bill presented, and read first time. [Bill 83.]

PRIVATE BANKS BILL.

On Motion of Mr. Ernest Spencer, Bill to make it compulsory that all Private Banking Firms shall either issue an annual balance sheet to their customers or submit to an audit by an official appointed by the Government, ordered to be brought in by Mr. Ernest Spencer, Mr. Warmington, Mr. Maclure, and Mr. Bartley.

Bill presented, and read first time. [Bill 84.]

EIGHT HOURS BILL.

On Motion of Mr. Cuninghame Grahame, Bill to restrict the Hours of Labour in all trades and industries to Eight per day, ordered to be brought in by Mr. Cuninghame Graham, Mr. Randell, Mr. Abraham (Glamorgan), Mr. Conybeare, and Dr. Clark.

Bill presented, and read first time. [Bill 85.]

SUPERANNUATIONS (OFFICERS OF COUNTY COUNCILS) BILL.

On Motion of Mr. Norris, Bill to enable County Councils to provide a fund, by deductions from salaries and wages of officers and servants in their employment, and to grant Superannuation Allowances therefrom, ordered to be brought in by Mr. Norris, Mr. Lawson, Sir Richard Temple, Sir Albert Rollit, Mr. Edmund Robertson, and Mr. Jennings.

Bill presented, and read first time. [Bill 86.]

SOLICITORS AND APPRENTICES (IRELAND) BILL.

On Motion of Mr. O'Neill, Bill to amend and consolidate the Laws relating to Solicitors, and to the service of indentured Apprentices in Ireland, ordered to be brought in by Mr. O'Neill, Mr. Maurice Healy, Mr. Macartney, Mr. O'Keeffe, and Mr. Reynolds.

Bill presented, and read first time. [Bill 87.]

INTOXICATING LIQUORS LICENCES (IRELAND) BILL.

On Motion of Mr. Johnston, Bill to enable the ratepayers of any locality to veto the issue of Licences for the sale of Intoxicating Liquors in Ireland, ordered to brought in by Mr. Johnston, Mr. John Redmond, Mr. T. W. Russell, Mr. Jordan, Mr. De Cobain, and Mr. John Barry.

Bill presented, and read first time. [Bill 88.]

AGRICULTURAL HOLDINGS BILL.

On Motion of Mr. Channing, Bill to consolidate and amend the Laws relating to Agricultural Holdings in England and Wales; and for other purposes, ordered to be brought in by Mr. Channing, Mr. Seale-Hayne, Mr. Cobb, Mr. Halley Stewart, Mr. Francis Stevenson, and Mr. Arthur Williams.

Bill presented, and read first time. [Bill 89.]

COUNTY COUNCILS (CONTRACTS) BILL.

On Motion of Mr. Cozens-Hardy, Bill to remove the disabilities affecting members of County Councils in respect of Contracts for the supply of road materials, ordered to be brought in by Mr. Cozens-Hardy, Sir Edward Birkbeck, Mr. Gurdon, and Mr. Somervell.

Bill presented, and read first time. [Bill 90.]

POLLEN FISHERIES (IRELAND) BILL.

On Motion of Mr. Macartney, Bill for the better preservation of the Pollen Fisheries in Ireland, ordered to be brought in by Mr. Macartney and Mr. O'Neill.

Bill presented, and read first time. [Bill 91.]

PARLIAMENTARY ELECTIONS BILL.

On Motion of Mr. Howell, Bill to consolidate, simplify, and amend the Law relating to Parliamentary Elections; and for other purposes relating thereto, ordered to be brought in by Mr. Howell, Mr. Buxton, Mr. Pickersgill, Mr. Stuart, Mr. Fenwick, Mr. Hunter, Mr. Bowen Rowlands, and Mr. Warmington.

Bill presented, and read first time. [Bill 92.]

LIQUOR TRAFFIC LOCAL VETO (SCOTLAND) BILL.

On Motion of Mr. M'Lagan, Bill to enable owners and occupiers in burghs, wards of burghs, parishes, and districts in Scotland to prevent the common sale of intoxicating liquors, or otherwise to have effectual control over the drink traffic within such areas, ordered to be brought in by Mr. M'Lagan, Dr. Cameron, Mr. Lyall, Mr. Mackintosh, Mr. Cameron Corbett, Mr. Mark Stewart, Dr. Clark, Mr. Munro Ferguson, and Mr. John Wilson.

Bill presented, and read first time. [Bill 93.]

SHOPS (WEEKLY HALF-HOLIDAY) BILL.

On Motion of Sir John Lubbock, Bill to enable local authorities to establish a Weekly Half-holiday for Shops, ordered to be brought in by Sir John Lubbock, Mr. Barry, Mr. Burt, Mr. Cameron Corbett, Sir Walter Foster, and Mr. Whitley.

Bill presented, and read first time. [Bill 94.]

PRISONS ACTS AMENDMENT BILL.

On Motion of Mr. Channing, Bill to amend the Laws relating to the treatment of prisoners under various Acts in England and Wales; and for other purposes, ordered to be brought in by Mr. Channing, Mr. Picton. Mr. Atherley Jones, and Mr. Barran.

Bill presented, and read first time. [Bill 95.]

FARM SERVANTS' HOUSING (SCOTLAND) BILL.

On Motion of Mr. Keay, Bill to provide for the Housing of Farm Servants on farms in Scotland, ordered to be brought in by Mr. Keay, Mr. Angus Sutherland, Dr. Clark, and Mr. Caldwell.

Bill presented, and read first time. [Bill 96.]

PARLIAMENTARY VOTERS' QUALIFICATION BILL.

On Motion of Mr. Morton, Bill to amend the Law concerning the qualifying period for Parliamentary Voters in the United Kingdom; and for other purposes, ordered to be brought in by Mr. Morton, Mr. Leng, Mr. Priestley, Mr. Pinkerton, Mr. Halley Stewart, and Captain Verney.

Bill presented, and read first time. [Bill 97.]

SALE OF INTOXICATING LIQUORS ON SUNDAY (CORNWALL) BILL.

On Motion of Mr. Charles Acland, Bill to prohibit the sale of Intoxicating Liquors on Sunday in the county of Cornwall, ordered to be brought in by Mr. Charles Acland, Mr. Bolitho, Mr. Conybeare, Mr. Courtney, Mr. Bickford Smith, and Mr. M'Arthur.

Bill presented, and read first time. [Bill 98.]

SHERIFF PRINCIPAL (SCOTLAND) ABOLITION BILL.

On Motion of Dr. Clark, Bill to abolish the office of Sheriff Principal in Scotland, ordered to be brought in by Dr. Clark, Mr. Bolton, Mr. Caldwell, Mr. Provand, and Mr. Mackintosh.

Bill presented, and read first time. [Bill 99.]

SCHOOL BOARD ELECTIONS (SCOTLAND) BILL.

On motion of Mr. Shiress Will, Bill to amend the Law relating to the Election of School Boards in Scotland, ordered to be brought in by Mr. Shiress Will, Mr. M'Lagan, Mr. Esslemont, and Mr. Lyell.

Bill presented, and read first time. [Bill 100.]

ARTIFICIAL MANURES, &c. (ADULTERATION) BILL.

On Motion of Mr. Channing, Bill for the better prevention of frauds in the manufacture and sale of Artificial Manures and other preparations for agricultural purposes, ordered to be brought in by Mr. Channing, Mr. Halley Stewart, and Mr Seale-Hayne.

Bill presented, and read first time. [Bill 101.]

MERCHANT SHIPPING ACTS AMENDMENT BILL.

On Motion of Mr. Howell, Bill to prevent the deck-loading of timber in winter, ordered to be brought in by Mr. Howell, Mr. Abraham, Mr. Broadhurst, Mr. Burt, Mr. Cremer, Mr. Fenwick, Mr. Pickard, Mr. Rowlands, and Mr. Wilson.

Bill presented, and read first time. [Bill 102.]

INDUSTRIAL AGRICULTURAL EDUCATION BILL.

On Motion of Mr. Jesse Collings, Bill to provide for Industrial Agricultural Education in public elementary schools, ordered to be brought in by Mr. Jesse Collings, Mr. Henry H. Fowler, Sir John Lubbock, Mr. Howell, Sir John Kennaway, Sir Bernhard Samuelson, Mr. Dixon, Mr. Robert Reid, and Major Rasch.

Bill presented, and read first time. [Bill 103.]

PUBLIC HOUSES (HOURS OF CLOSING) (SCOTLAND) BILL.

On Motion of Dr. Cameron, Bill to amend "The Public Houses (Hours of Closing) (Scotland) Act, 1887," ordered to be brought in by Dr. Cameron, Mr. M'Lagan, Mr. Mark Stewart, Mr. John Wilson (Govan), and Mr. Mackintosh.

Bill presented, and read first time. [Bill 104.]

REGISTRATION OF ELECTORS (ACCELERATION) BILL.

On Motion of Mr. Hobhouse, Bill to accelerate the proceedings for the Registration of Electors in England and Wales, and to alter certain dates connected therewith, ordered to be brought in by Mr. Hobhouse, Sir Ughtred Kay-Shuttleworth, Sir John Dorington, Mr. Gurdon, Mr. Arthur Acland, Mr. Dugdale, and Mr. Brunner.

Bill presented, and read first time. [Bill 105.]

THEATRES, &c. (LONDON) BILL.

On Motion of Sir John Lubbock, Bill to provide for the control and regulation of Theatres, Music-halls, and Places of Public Entertainment in the Administrative County of London and for other purposes, ordered to be brought in by Sir John Lubbock and Earl Compton.

Bill presented, and read first time. [Bill 106.]

PUBLIC PETITIONS.

Ordered, That a Select Committee be appointed to whom shall be referred all Petitions presented to the House, with the exception of such as relate to Private Bills; and that such Committee do classify and prepare abstracts of the same, in such form and manner as shall appear to them best suited to convey to the House all requisite information respecting their contents, and do report the same from time to time to the House; and that the reports of the Committee do set forth the number of signatures to each Petition only in respect to those signatures to which addresses are affixed:—And that such Committee have power to direct the printing *in extenso* of such Petitions, or such parts of Petitions, as shall appear to require it:—And that such Committee have power to report their opinions and observations thereupon to the House:

Ordered, That the Committee do consist of Sir Charles Foster, Mr. William Lowther, Mr. Cavendish Bentinck, Mr. Hugh Elliot, Colonel Bridgeman, Mr. Donald Crawford, Mr. Mulholland, Viscount Lymington, Mr. Wiggin, Mr. M'Lagan, Mr. T. P. O'Connor, Sir Charles Dalrymple, Mr. Hanbury-Tracy, Sir Robert Fowler, and Mr. Justin Huntly M'Carthy:

Ordered, That Three be the quorum.—(*Sir Charles Foster.*)

ELEMENTARY EDUCATION (ENGLAND AND WALES) BILL.

On Motion of Mr. Powell, Bill to amend the Law relating to Elementary Education (England and Wales), ordered to be brought in by Mr. Powell, Mr. Heneage, Sir Richard Paget, Mr. de Lisle, Colonel Eyre, Mr. Hinckes, Mr. Samuel Hoare, Mr. Howorth, Mr. Lawrence, Mr. John O'Connor, Mr. Jasper More, Mr. Byron Reed, and Mr. Talbot.

Bill presented, and read first time. [Bill 107.]

LABOURERS' IRELAND BILL.

On Motion of Mr. M'Cartan, Bill to improve the condition of the Labourers in Ireland. ordered to be brought in by Mr. M'Cartan, Mr, Parnell, Mr. Sexton, Mr. Blane, Dr. Fox, Mr. Clancy, and Mr. Pinkerton.

Bill presented, and read first time. [Bill 108.]

GLEBE LANDS BILL.

On Motion of Mr. Mowbray, Bill to amend the Law relating to the occupation of Glebe Lands in England, ordered to be brought in by Mr. Mowbray, Mr. Childers, Mr. Talbot, Mr. Tomlinson, and Mr. Channing.

Bill presented, and read first time. [Bill 109.]

House adjourned at a quarter before Five o'clock.

HOUSE OF COMMONS,

Thursday, 27th November, 1890.

MR. SPEAKER'S CONTINUED ABSENCE.

The House being met, the Clerk at the Table informed the House that Mr. Speaker was again unavoidably prevented from taking the Chair of the House this day.

Whereupon Mr. Courtney, the Chairman of Ways and Means, proceeded to the Table; and, after Prayers, took the Chair as Deputy Speaker, pursuant to the Standing Order.

QUESTIONS.

HOURS OF LABOUR IN INDIAN FACTORIES.

Mr. CUNINGHAME GRAHAM (Lanark, N.W.): I beg to ask the Under Secretary of State for India if Her Majesty's Government contemplates introducing any legislation restricting the hours of labour in the cotton mills of Bombay and India generally; and if any regulations are to be issued connected with the inspection of mines in India, or are any Inspectors to be appointed? I wish further to ask the right hon. Gentleman whether his attention has been directed to the statement contained in page 124 of a recent Return supplied by the East India Company, in which it is said that it would be a great boon to those employed to have their hours of labour restricted, and Sunday labour got rid of altogether?

THE UNDER SECRETARY OF STATE FOR INDIA (Sir JOHN GORST, Chatham): Yes, Sir; the attention of my noble Friend the Secretary of State has been directed to the Return referred to. In reply to the Question upon the Paper, I have to say that the existing Factory Act and the proposed Amendments restrict the hours of labour for women and children in Indian factories. They do not regulate the hours of labour for adult males. The Secretary of State in July last asked the Government of India to consider the regulation of labour in mines, and the inspection thereof. It will be considered whether officers of the Geological Survey cannot for the present undertake the duty of inspection, so as to obviate the appointment of special Inspectors.

LONDON AND SOUTH WESTERN RAILWAY—ACCIDENT NEAR EASTLEIGH.

MR. PROVAND (Glasgow, Blackfriars): I beg to ask the President of the Board of Trade if his attention has been called to Major Marindin's Report to the Board of Trade on the causes of the fatal accident near Eastleigh on the London and South-Western Railway on the 12th July last, which he found was due to the non-observance of signals by the driver and fireman of a locomotive, and especially to the paragraph—

> "It is not difficult to account for the conduct of these men who, I feel convinced, must have been asleep, or nearly so, upon the engine, for they had at the time been on duty for nearly sixteen and a-half hours, and the driver had, he states, been suffering from neuralgia for some days; and that a driver cannot be considered to be in a fit and proper state to perform his very responsible duties after working for such a length of time, even when in the best of health."

And his recommendation that—

> "The employment of drivers for more than a reasonable number of consecutive hours should be absolutely prohibited."

And whether he will bring in a Bill to carry out this recommendation, and prohibit the employment of locomotive drivers and firemen beyond a fixed number of hours, or, if not, will he oppose any Bill brought in by a private Member to effect this purpose?

*The PRESIDENT OF THE BOARD OF TRADE (Sir MICHAEL HICKS BEACH, Bristol, W.): Yes, Sir; my attention has been called to this important question, and I am in communication upon it with the Railway Association. I hope that the Railway Companies may themselves take action in the matter. In the meantime, I could not express an opinion with regard to the advisability of legislation.

MR. PROVAND: Arising out of the answer of the right hon. Baronet, may I ask what length of time the Railway Association has taken to return a reply?

*SIR M. HICKS BEACH: The communication to the Railway Association has only recently been made. It is based upon certain accidents which have only occurred in the course of the present year.

CHELSEA SAVINGS BANK.

MR. WHITMORE (Chelsea): I beg to ask the Chancellor of the Exchequer when the official liquidator of the Chelsea Savings Bank will make a further dividend to the depositors; and whether he can now lay upon the Table of the House a statement showing the cost and charges incurred in the liquidation and the assets available for distribution?

*THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): The declaration of a further dividend is delayed pending the result of communications with the trustees and managers as to their providing the sum of £420, amounting to a dividend of 1d. in the £1, without litigation, which would enable the liquidator, subject to the direction of the Court, to pay the depositors in full. Apart from claims on the trustees and managers, practically the whole estate available for distribution has been got in. The cost and charges will be finally settled by the Court at the conclusion of the winding-up, and when the liquidation is complete the Treasury will communicate with the official liquidator as to laying on the Table of the House a statement such as the hon. Member desires.

GREAT WESTERN MAILS.

MR. BRUNNER (Cheshire, Northwich): I beg to ask the Postmaster General how many times this year the mails from the North have missed the Great Western train timed to leave Bristol for the South at or about 10 a.m., and what means he has of preventing or diminishing the inconvenience caused to the public by the irregularity of this mail?

*THE POSTMASTER GENERAL (Mr. RAIKES, Cambridge University): I do not quite follow the hon. Member's question, but I think he must refer to the connection at Bristol between the mail train from the North due at 5.45 a.m. and the train leaving at 6.10 a.m., which takes forward the North Mail letters for Hampshire when they reach Bristol punctually. If the hon. Member will let me know at what towns the inconvenience complained of arises I will inquire fully into the matter.

THE TEA ROOM TABLE.

MR. BRUNNER: I beg to ask the First Commissioner of Works whether he can inform the House as to the age of the old Table of the House, said to have been saved from the fire of 1834, now lately placed in the Tea Room?

THE FIRST COMMISSIONER OF WORKS (Mr. PLUNKET, Dublin University): I must ask the hon. Gentleman to postpone the question until another day.

ROADS AND FOOTPATHS.

SIR JOHN KENNAWAY (Devon, Honiton): I beg to ask the President of the Local Government Board whether his attention has been directed to the case of "Warminster *v.* the County of Wilts," reported in the October number of Queen's Bench Reports for 1890, wherein it was held by Justices Charles and Grantham that the word "road" in every case includes footpaths; and whether, as this decision will throw upon County Councils a large additional burden not contemplated at the passing of the Act, he will introduce a short Bill to amend the Local Government Act in this particular?

*THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE, Tower Hamlets, St. George's): My attention has been directed to the decision in question. I must point out that the Local Government Act, 1888, made no change in the law as to what constitutes a main road, that question being governed by the provisions of the Highways and Locomotives Amendment Act, 1878. The decision in the case referred to was in effect as to the interpretation of the term "main road" in that Act, and if an amendment of the law were to be made it would rather be by an amendment of the Highways and Locomotives Amendment Act than of the Local Government Act. I do not gather that my hon. Friend wishes that the law should be amended so as to provide that no footpaths should be maintained by the county. I presume his Question is directed to the footpaths in urban sanitary districts. I am afraid I could not attempt to amend the law to provide that these districts, which are liable for contributing to the cost of the maintenance of footpaths in the country districts, should have no claim for the maintenance of their own footpaths. So far as regards the amount of the expenditure for which the county is to be liable, I may point out that the decision in question would seem to amount to this—that when an Urban Authority have claimed to retain the powers and duties of maintaining and repairing a main road within their district, the county is liable to make an annual payment towards the cost of the maintenance and repair and reasonable improvement connected with the maintenance and repair of the road. If any difference arises between the County Council and the Urban Authority as to the amount of the contribution which should be paid, the question is one which, on the request of either party, may be referred to the arbitration of the Local Government Board.

H.M.S. *SERPENT.*

MR. GOURLEY (Sunderland): I beg to ask the First Lord of the Admiralty if he will inform the House the number, description, and position of compasses on board the *Serpent* when she left Plymouth, and where last adjusted; whether any or all of Her Majesty's ships are fitted with Sir William Thomson's compass; and to inquire, if it is the intention of the Admiralty to supplement (and to what extent) the private subscriptions now being made on behalf of the widows and orphans of the crew of the *Serpent?*

THE FIRST LORD OF THE ADMIRALTY (Lord G. HAMILTON, Middlesex, Ealing): There were four compasses on board the *Serpent*, including two of Sir William Thomson's, and they were adjusted and inspected on July 6 and November 8 this year. The compasses were inspected after the manœuvres by the Superintendent of Compasses, and found in excellent order. On the occasion of a subsequent visit to the ship by the Assistant Superintendent of Compasses, the commander expressed his own and the navigating officer's great satisfaction with the behaviour of the compasses during heavy weather in the manœuvres of 1890. Sir W. Thomson's compasses were introduced into the Navy in 1884, and there are now very few of Her Majesty's sea-going ships that have not at least one. Pensions from the funds of Greenwich Hospital will be given to all the widows, and allowances to the children, according to the rating of the husband. In cases in which the men have not left widows or children, but parents or other relatives dependent on them, gratuities will be given not exceeding a year's full wages, exclusive of any extra or additional pay. The payment of these gratuities will either be extended over a period until the whole amount has been paid, or a lump sum will be given at the discretion of the Admiralty if recommended. If the ages of the children are given, some of them could be placed in homes at the expense of Greenwich Hospital, and, if sons, could be subsequently educated at Greenwich Hospital School.

DESTITUTE IMMIGRANTS.

MR. HOWORTH (Salford, S.): I beg to ask the Under Secretary of State for Foreign Affairs whether his attention has been drawn to a paragraph in Monday's papers, to the effect that on Sunday last there landed at Tilbury Docks, from Hamburg, nearly 300 Polish Jews, most of them apparently destitute, who had been sent to this country by an emigration agency, with branches throughout Russian Poland, which represented to them that work is abundant here; and whether he will take steps to prevent the further recruiting of our already congested labour market by this class of immigrants?

*SIR M. HICKS BEACH: With the permission of my right hon. Friend I will answer this question. I have been informed by the Chief Commissioner of Police that on Sunday last there were landed at Tilbury Docks from Hamburg 65 passengers, apparently foreign Jews, most of whom had luggage and all of whom proceeded to London; and that on Monday there were landed 40 passengers, also apparently foreign Jews, who proceeded to London. From further inquiry it appears that amongst those who arrived on the Monday were nine sailors, who shipped at once, and 17 out of the whole number have been admitted into the Home for Destitute Jews. The remainder have apparently dispersed in various directions, some having been met at the dock by friends. Inquiries are being made as to the nature and extent of any emigration agencies by which such passengers are sent to this country. Instructions have been sent to the Consul at Hamburg to issue a warning to intending passengers against their relying on the assurances of finding employment when they reach this country.

REGISTRATION OF DEATHS.

MR. BRADLAUGH: I beg to ask the President of the Local Government Board whether he is aware that the decennial Reports of the late Dr. Farr showed the number of deaths in each registration district, cause of death, and sex, but that the Report 1871-80 of Dr. Ogle, in lieu of distinguishing male from female, only shows persons; and whether, for the decennial Report 1881-90, the Report of Vital Statistics can be compiled so as to distinguish sex?

*MR. RITCHIE: I find that the change of practice with regard to the decennial Reports referred to was made, and I am giving the matter my consideration.

THE BRITISH NAVAL HOSPITAL AT LISBON.

SIR EDWARD WATKIN (Hythe): I beg to ask the First Lord of the Admiralty if his attention has been called to a paragraph in the *Times* of 25th November, as follows:—

> "By order of the Admiralty, the British Naval Hospital will be sold by auction on the 27th instant. The property has a frontage of 70 mètres, and occupies one of the finest sites in Lisbon;"

and whether the statement is true; and, if so, by what authority the Admiralty sells a property, the cost of which has been voted by Parliament, without the sanction of Parliament?

*LORD G. HAMILTON: The state-statement is correct. For years past the maintenance of this hospital and its establishment have been of little or no benefit to the Navy, and therefore it was decided to close the hospital, sell the building, and transfer the establishment to Gibraltar, where it is much wanted. No special authority of Parliament is necessary for the disposal of surplus Government property of this character.

THE LABOUR BUREAU.

MR. BRADLAUGH: I beg to ask the President of the Board of Trade whether any addition has been made during the present financial year to the staff of the Labour Bureau; whether any, and what, further increase in the staff is now proposed; whether he will state its present exact strength and cost; and whether the Government will take any steps to give greater efficiency to the Labour Statistical Department?

*SIR MICHAEL HICKS BEACH: No actual addition to the staff engaged on labour statistics has been made during the present year, but proposals for a few additions to the clerical staff and for special arrangements to obtain statistical tables, and a report on the proportion of wages to profits and costs of productions, and for similar reports on kindred subjects, from time to time, are now before the Treasury. The numbers at present exclusively employed on the work are eleven, whose aggregate salaries, including the duty pay of a gentleman who is largely engaged on other work, amount to £1,723. I hope by means of the present staff and the additions now proposed to add materially to both the periodical and occasional publications of the Department. In particular, I look forward to presenting at an early date a Report on profit sharing as well as the Report on wages and cost of production to which I have just referred. This will be additional to the subjects already being dealt with periodically or otherwise.

POSTAL OFFICIALS IN THE PROVINCES.

EARL COMPTON (York, W.R., Barnsley): I beg to ask the Postmaster General when the scheme of revision for the superior postal officials at Newcastle, Bristol, Leeds, and other provincial offices will be announced; and whether it is intended that the date of the application of the scheme to these offices shall take effect from the date of the last published scheme?

*MR. RAIKES: The decision of the Treasury in respect of the three offices named has reached me, and will shortly be carried into effect. The detailed examination of all the large offices in the provinces has occupied much time and labour, and cases are being submitted to the Treasury as fast as circumstances permit. The dates of the application of the various changes will be fixed in consultation with the Treasury.

THE BANK ACT—£1 NOTES.

MR. ERNEST SPENCER (West Bromwich): I beg to ask the Chancellor of the Exchequer whether, in view of the recent serious crisis in the City, and the continual annual strain put upon business by the decrease in the Bank reserve, and constant scarcity of gold, the Government will now consider the advisability of introducing a short Bill to amend the Bank Act of 1844 by the issue of £1 notes against silver, or Consols, or otherwise, in order that it may be in keeping with the present time, and the expansion of business which has taken place since the Act was passed?

*MR. GOSCHEN: I am not prepared at the present moment to make any declaration of policy as regards the Bank Charter Act, nor am I prepared to admit the second part of my hon. Friend's question as a necessary corollary to the first.

MR. LEA (Londonderry, S.): I have also to ask the Chancellor of the Exchequer if the Government intend to appoint a Royal Commission to inquire into the whole question of the working of the Bank Act of 1844; if so, when such Royal Commission will be appointed?

*MR. GOSCHEN: No, Sir; we have no such intention. If at any time it should appear to Her Majesty's Government that the arrangements made in 1844 should be altered in any particulars, they would prefer to deal with the matter on their own initiative and responsibility rather than to relegate the matter to a Royal Commission.

THE NEW ARMY WARRANT.

GENERAL FRASER (Lambeth, N.): I beg to ask the Secretary of State for War if the new Warrant coming into force on 1st January, 1891, definitely decrees that after the Establishment of General Officers is reduced to its future number, promotion to that grade shall only be by selection; if, pending the reduction of General Officers to the future number, it is intended that there shall only be one Senior Colonel promoted to the rank of Major General for every third vacancy that occurs in the Major Generals' List; if so, whether any Colonels who were Field Officers when purchase was abolished, and are still on the Active List, will be precluded from attaining the rank of Major General, owing to the excessive tardiness of this promotion causing them to be retired as Colonels through the Age Clauses; and if, in view of the terms of the Royal Warrant of 1st November, 1871, abolishing purchase and decreeing that all senior qualified officers of every grade shall be eligible for promotion, he will re-consider the terms of the new Warrant?

*THE SECRETARY OF STATE FOR WAR (Mr. E. STANHOPE, Lincolnshire, Horncastle): From January 1 next the number of General Officers will be gradually reduced till it reaches a fixed limit, after that promotion to Major General will only be by selection to fill an appointment or as a reward for service in the field. Until the General Officers on the Active List are reduced to 100, every second vacancy for promotion to Major General will be absorbed. How far the vacancies not absorbed may fall to Senior Colonels must depend upon circumstances. The number of Colonels who, when purchase was abolished, had purchased rights as Majors will not in January exceed 20. The absorption of vacancies undoubtedly increases the chance that some of these will be compulsorily retired. I presume that the reference in the last question is intended to be to the Royal Warrant of October 30, 1871 (though that is not the Warrant abolishing purchase). In that Warrant it appears to me that the mode of promotion laid down to the rank of Major General was selection. I may add that a Colonel of the class referred to, if injured by compulsory retirement, has a claim to compensation. I do not, therefore, as at present advised, see the special hardship of this class of cases, but I will consider the matter further.

PLEASURE BOATS ON THE SEVERN.

MR. GEORGE ALLSOPP (Worcester): I beg to ask the President of the Local Government Board whether the Government will introduce a measure during this Session enabling the making, by County and City Councils, of bye-laws controlling the construction and use of pleasure boats and vessels navigating rivers within their jurisdiction, and which would give the Council of the City of Worcester effective control over the construction and use of pleasure boats and vessels navigating the River Severn within or from the City of Worcester, the Local Government Board being of opinion that existing legislation does not authorise the making of such bye-laws?

*MR. RITCHIE: Section 172 of the Public Health Act, 1875, authorises any Urban Authority to licence the proprietors of pleasure boats and vessels, and the boatmen or other persons in charge, and to make bye-laws for regulating the numbering and naming of the boats and vessels, and the number of persons to be carried and the mooring-places, and for fixing rates of hire and the qualification of the boatmen or other persons in charge, and for securing their good and orderly conduct while in charge. When dealing with a Bill for the amendment of the Public Health Act, 1875, it may properly be a matter for consideration whether the powers conferred on Urban Sanitary Authorities by the section referred to should not be enlarged.

BRUSSELS CONFERENCE.

MR. SYDNEY BUXTON (Tower Hamlets, Poplar): I beg to ask the Under Secretary of State for Foreign Affairs whether Her Majesty's Government is able to inform the House as to the present position of affairs relating to the enforcement of the General Act of the Brussels Conference, and whether he will lay the Protocols of the Conference upon the Table of the House; and whether it is true that, unless the Government of the Netherlands affixes its signature to the General Act of the Brussels Conference by the 1st of January next, the deliberations of the Conference for the suppression of the Slave Trade, agreed to by the other sixteen Powers represented at the Conference, will be nullified?

*THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir J. FERGUSSON, Manchester, N.E.): The Protocols will be laid immediately. The present position is that Holland still refuses to sign the Act with the Declarations annexed to it relating to import duties in the Conventional Basin of the Congo. The period during which her signature can be affixed expires at the end of the year.

MR. BUCHANAN (Edinburgh, W.): Have Her Majesty's Government made, or will they make, any special representations to Holland to induce them to waive their objections, and to give their assent to the Act?

SIR J. FERGUSSON: Her Majesty's Government will do all in their power.

VITU.

MR. SYDNEY BUXTON: I beg to ask the Under Secretary of State for Foreign Affairs on what ground the British Fleet was employed to punish the Sultan of Vitu and the natives for the murder of German traders some months ago; and, whether Vitu at the time of the murder was under German protection?

*SIR J. FERGUSSON: Germany withdrew her protectorate over Vitu in favour of Great Britain on the 1st of July. Since that date it has ceased to be under German protection. The notification placing it under British protectorate was published on the 25th of the present month. At the time of the murder, therefore, the position was transitional, but as Great Britain had accepted in July the transfer of the protectorate it was unquestionably her duty, and not that of Germany, to inflict punishment for murders of white men committed since that date. Papers on the subject are being prepared and will be laid shortly.

CHRISTIANS IN ASIATIC TURKEY.

MR. BRYCE (Aberdeen, S.): I beg to ask the Under Secretary of State for Foreign Affairs, when Papers relating to the condition of the Christians of Asiatic Turkey will be presented to the House; and whether these Papers will contain any recent Reports by Mr. Clifford Lloyd upon the state of the vilayet of Erzeroum?

MR. F. S. STEVENSON (Suffolk, Eye) had on the Notice Paper the following Question: To ask the Under Secretary of State for Foreign Affairs when the Further Correspondence relating to the Affairs of Armenia will be published?

*SIR J. FERGUSSON: I will, with the permission of the House, answer at the same time the question of the hon. Member for the Eye Division (Mr. F. Stevenson). These Papers are being prepared, but I cannot make a definite undertaking as to the time at which they will be presented. They will, of course, contain Reports from Mr. Clifford Lloyd.

MR. BRYCE: Are the Papers likely to be ready before Christmas?

*SIR J. FERGUSSON: I am not in a position to say yet when they will be presented.

MR. BRYCE: I will repeat the question on an early day.

COLONIAL LETTER POSTAGE.

MR. DIXON-HARTLAND (Middlesex, Uxbridge): I beg to ask the Postmaster General whether he can tell the House what has been the general result of his communication with the Colonies respecting the proposed establishment of an uniform 2½d. letter postage, and when the reduced charge is likely to commence in this country?

MR. RAIKES: I am glad to be able to inform my hon. Friend and the House that the most important groups of our Colonies have at length decided in favour of reducing the letter postage in accordance with the scheme announced by the Chancellor of the Exchequer in his last Budget speech. Notwithstanding the inevitable sacrifice of revenue, the several Governments of the Australasian Colonies, the Cape, Natal, the West African, West Indian, and some other Colonies are prepared for the change; and in regard to these I am making arrangements to carry it into effect on the 1st of January next. I have not yet been made aware of the ultimate decision of India and the Asiatic Colonies; but I am hopeful that the difficulties in those quarters may before long be overcome.

THE IRISH MAILS.

MR. LEA: I beg to ask the Postmaster General if he is aware that while delays of mails to the North of Ireland have been frequent during the past six months, yet steam communication between Stranraer and Larne has been conducted with reasonable punctuality; and if he has made arrangements for the despatch of mails by this route?

MR. M'CARTAN (Down, S.): I beg to ask the Postmaster General whether he can state the number of days since 1st July last on which the English mails for Belfast and North of Ireland were late for despatch from Dublin by the mail train leaving there for Belfast at 7.25 a.m.?

*MR. RAIKES: I find that since the 1st of July last the English night mails for Belfast and the North of Ireland have missed the 7.25 a.m. mail train from Dublin on 11 occasions. I have made arrangements for the mails to be forwarded by a special train in future whenever the arrival at Amiens Street Station, Dublin, is after 7.40 a.m. The Post Office has no record of the sailings of the packet between Stranraer and Larne, and the question of adopting this route for the mails for the North of Ireland is now receiving careful consideration.

MR. SEXTON (Belfast, W.): May I ask the right hon. Gentleman whether, considering the notorious fact that the mails are frequently late, he will make an inquiry whether there would not be a material saving of time by the Larne route, and whether proposals have been made to the carrying companies for a service by that route?

*MR. RAIKES: I have already intimated my willingness to consider any proposals which might be made by the Railway Companies controlling this route. Such proposals only reached me about a fortnight ago, and are now the subject of careful consideration and comparison with those made by other companies.

MR. DE COBAIN (Belfast, E.): I beg to ask the Postmaster General whether, having regard to the increasing frequency of the late arrival and delivery of mails in Belfast and the North of Ireland generally, lately, he has given any further consideration to the question of an accelerated mail service by the Stranraer and Larne route, as placed before him by a large and most influential deputation from the North of Ireland during the last Session of Parliament; and whether, having regard to the serious injury and inconvenience to trade resulting from the present service, he can give some assurance of the matter receiving his early and favourable attention?

*MR. RAIKES: I can assure the hon. Member that the question to which he refers has been constantly kept in view since it was last mentioned in this House. It involves very important issues, and is scarcely yet ripe for decision; but I hope soon to be in a position to make an announcement on the subject.

DRAINAGE BOARDS IN IRELAND.

MR. COX (Clare, E.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether it is the intention of the Irish Government to introduce this Session a Bill to amend the laws relating to the constitution of Drainage Boards in Ireland?

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): I am afraid that I cannot enter into any undertaking at the present moment to introduce legislation in the direction of amending the laws relating to the constitution of Drainage Boards in Ireland.

THE LAND PURCHASE ACTS.

MR. J. E. ELLIS (Nottingham, Rushcliffe): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he will lay upon the Table or assent to a Return giving particulars of the cases in which the Land Commission has received applications from purchasers of their holdings under the Land Purchase Acts, 1885 and 1888, for an extension of the time of purchase or an abatement in the amount of instalments due?

MR. A. J. BALFOUR: The Irish Land Commissioners report that some memorials of the nature in question and of a stereotyped character have been received. I do not see that any public advantage would be gained by laying them upon the Table.

*MR. J. E. ELLIS: Is the right hon. Gentleman aware that from several counties in Ireland memorials upon this subject have been presented, and that they are not "stereotyped?"

MR. A. J. BALFOUR: No, Sir. There have been memorials presented, but I do not know where they came from.

*MR. J. E. ELLIS: Then, are we to have no information in regard to them?

MR. A. J. BALFOUR: I have given the hon. Gentleman all the information in my possession.

MR. J. MORLEY (Newcastle-upon-Tyne): We attach great importance to these memorials and I would ask the right hon. Gentleman if it is not in perfect conformity with official usage, and would it not conduce to convenience

to have the documents laid upon the Table?

MR. A. J. BALFOUR: I have already given my opinion as to the value of the documents. As to the other question, I will make inquiry, and if I find that it is in accordance with the practice I will grant the Return.

MR. J. E. ELLIS: I beg to ask the Chief Secretary whether he will lay upon the Table, or assent to a Return, giving particulars of the cases in which the Land Commissioner has obtained decrees of ejectment of purchasers under the Land Purchase Acts, 1885-8, for arrears in payment of their instalments of principal and interest?

MR. A. J. BALFOUR: If I am made aware of the particulars that are required I will do my best to give them. Ejectment proceedings are not taken against defaulting purchasers by the Irish Land Commissioners; but the holdings are put up for sale. Very few, however, of such cases have occurred. In the cases of upwards of 11,000 tenant purchasers during the five years in which the Act has been in operation, it has been necessary to put up for sale the holdings of 27 only. If the hon. Member will be good enough to place a notice on the Paper detailing the particulars he desires in regard to these holdings, the practicability of granting a Return will be considered.

MR. E. HARRINGTON (Kerry, W.): Is it the fact that in many cases the rent has been paid out of the purchase money, and that in many cases the landlords have agreed that two years of the purchase money should be set aside for that purpose?

MR. A. J. BALFOUR: No, Sir; I have heard nothing of the kind.

MR. E. HARRINGTON: Then you will be made aware of it.

DISTRESS IN IRELAND.

MR. J. F. X. O'BRIEN (Mayo, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether his attention has been called by the Board of Guardians of Claremorris Union, in the county of Mayo, to the imminence of distress in their district, and if he has made inquiries respecting it; whether the Claremorris Board of Guardians have pointed out to him certain most desirable works capable of conferring vast benefits on the surrounding country, lowering the beds of rivers which now periodically flood the district widely, the River Robe and the River Clare, the lowering of whose beds would afford the employment necessary to avert distress in the most congested portion of that part of the country; and what he proposes to do in the matter? I beg further to ask the right hon. Gentleman whether his attention has been drawn by the Board of Guardians of Ballinrobe Union, in the county of Mayo, to the urgent necessity of employment in a portion of the Union, from Partry to Tourmakeady, where the potato crop has been destroyed, and other crops also are very inferior; whether the Board of Guardians have suggested to him a work of great importance, and calculated to confer much benefit on the district, viz., the connection of Lough Mask and the river Robe, a work begun 40 years ago, and nearly completed when it was abandoned; and what he proposes to do in the matter? Also whether his attention has been called to the threatened famine in the Ballyglass portion of the Ballinrobe Union, county of Mayo, the potato crop having almost entirely failed there, while the place is too remote from any of the proposed Light Railway schemes to benefit by such works; whether his attention has been called to a very necessary work for that locality, viz., the draining of three small lakes which lie near together, and which in summer time are reduced to unhealthy swamps; whether it has been pointed out to him that the drainage of those lakes is easy of accomplishment, and is a work calculated to afford the employment necessary to relieve the locality from the impending distress; and, what he proposes to do in the matter?

MR. A. J. BALFOUR: The Government do not apprehend anything of a nature which could be described as famine in the district referred to. I may, however, note there is a railway in process of construction from Ballinrobe to Claremorris. Attention has not been called to the drainage works alluded to.

BOARD OF NATIONAL EDUCATION.

MR. T. W. RUSSELL (Tyrone, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland when it is proposed to fill the vacancy at the Board of National Education in Ireland caused by the death of the Rev. Dr. Whigham?

MR. A. J. BALFOUR: I hope that the vacancy will be filled up in the course of the next four weeks.

CASE OF HAFFERNAN.

(4.0.) MR. JOHN O'CONNOR (Tipperary, S.): I desire to ask the Chief Secretary for Ireland a question of which I have given him private notice. I wish to ask whether he has seen a report of the verdict in the case tried yesterday before Mr. Justice Holmes, that of "Haffernan *v.* Carter and Tuohy," in which the jury found that the firing of the shot was not necessary for the defence of District Inspector Carter and the police? I would also ask whether the Law Officers of the Crown will now institute proceedings against the officer who ordered the shot to be fired, and against the policeman who fired it?

MR. A. J. BALFOUR: I have not seen the report to which the hon. Member refers. Perhaps the hon. Member will be kind enough to give notice of a question to the Attorney General for Ireland to whose Department it more properly applies.

SUPPLY.

Resolved, That this House will, to-morrow, resolve itself into a Committee to consider of the Supply to be granted to Her Majesty.—(*Mr. Jackson.*)

WAYS AND MEANS.

Resolved, That this House will, to-morrow, resolve itself into a Committee to consider of the Ways and Means for raising the Supply to be granted to Her Majesty.—(*Mr. Jackson.*)

EVICTIONS (LONDON AND SUBURBS).

Address for—

"Return of the number of Warrants issued by Justices under the Act 1 and 2 Vic. c. 74, for recovery of possession of tenements within the Metropolitan Police District during the two years ended the 30th day of September, 1890, showing the number of Cases in which force was required to give effect to the Warrant; the number of Cases in which such force was resisted; and the number of Cases in which such tenant was re-admitted (in continuation of Parliamentary Paper, No. 450, of Session 1888)."—(*Mr. Knowles.*)

ORDER OF THE DAY.

SEED POTATOES (IRELAND) BILL.
(No. 53.)

SECOND READING.

Order for Second Reading read.

*(4.3.) THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): I would appeal to the hon. and gallant Member for Galway (Colonel Nolan) to allow this Bill to stand over for a few days in order that the Chief Secretary to the Lord Lieutenant may be in a position to make a statement of the views of the Government on the matter. This course, I believe, will advance the interests the hon. and gallant Member has at heart, and, clearly, the Government will prefer to deal with the matter on their own initiative.

(4.5.) COLONEL NOLAN (Galway, N.): If the right hon. Gentleman will assure me that in the event of the Government proposals not being satisfactory facilities will be granted me for bringing on my Bill at a later stage, I will willingly accede to the appeal made to me. I would remind the right hon. Gentleman that there is a Motion on the Paper to take away all the time of private Members, and that it is only by a fortunate accident that I have secured an opportunity for bringing on the Bill.

*MR. W. H. SMITH: I will undertake that an opportunity shall be afforded to the hon. and gallant Member if the proposals of the Government are not satisfactory. I think, however, I can assure the hon. and gallant Member that the measure which will be introduced by my right hon. Friend will be satisfactory to the hon. and gallant Member.

(4.6.) COLONEL NOLAN: The right hon. Gentleman is in the hands of the majority opposite; however, I do not wish to stand in the way of the Government. I think I ought to have a promise that an exception will be made in my favour.

*MR. W. H. SMITH: I give the hon. and gallant Member the assurance he desires.

Second Reading deferred till Thursday next.

MOTIONS.

TITHE RENT-CHARGE RECOVERY BILL.

On Motion of Sir Michael Hicks Beach, Bill to make better provision for the recovery of Tithe Rent-Charge in England and Wales, ordered to be brought in by Sir Michael Hicks Beach, Mr. Attorney General, Mr. Chaplin, and Mr. Raikes.

Bill presented, and read first time. [Bill 110.]

(4.7.) MR. SEXTON (Belfast, W.): I would point out that the notice referring to this Bill was given subsequently to the notice of the Bills of the Chief Secretary for Ireland, as to Irish Land Purchase, and I wish to ask whether the change in the order of priority is to be continuous, whether it is the result of and consultation since Tuesday last, any whether the change is to be taken as having any political significance?

*(4.8.) THE PRESIDENT OF THE BOARD OF TRADE (Sir M. HICKS BEACH, Bristol, W.): The hon. Gentleman attaches entirely undue importance to this matter. The Tithe Rent-Charge Bill stood between several Bills of my right hon. Friend the Chief Secretary, and the Government thought it better to get this subject, on which they do not anticipate discussion, out of the way before the Irish Bills are introduced.

(4.9.) MR. H. GARDNER (Essex, Saffron Walden): As this subject is of interest to my constituents, I desire to put on record my regret that the President of the Board of Trade has not thought fit to make some statement in asking leave to bring in this measure on the present occasion. We have had various measures dealing with tithe rent-charge from the present Government—many of them of so diverse a character that the average intellect has found it difficult to make out what the Government really mean to do. I would warn the Government that if this Bill is not considered satisfactory on this side of the House it will meet with no less opposition than previous Bills on the same subject. I think we should have an assurance that the Bill will be at once printed and circulated amongst Members.

*(4.11.) SIR M. HICKS BEACH: It will be printed and circulated to-morrow morning.

*MR. OSBORNE MORGAN (Denbighshire, E.): I hope the right hon. Gentleman will allow some time to elapse before the Second Reading.

*SIR M. HICKS BEACH: I will fix the date for the Second Reading when the Bill has been introduced.

(4.12.) MR. T. M. HEALY (Longford, N.): My hon. Friend (Mr. Sexton) asked if the precedence given to this Bill is to be continuous. We understood that precedence was to be given to the Irish Land Bills.

SIR M. HICKS BEACH: I understand that the precedence is to be continuous.

MR. T. M. HEALY: Then it is altogether contrary to the statement of the First Lord of the Treasury the other evening.

PURCHASE OF LAND AND CONGESTED DISTRICTS (IRELAND) BILL.

(4.13.) THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): Mr. Deputy Speaker, I am glad to think that it will not be necessary for me on this occasion to occupy at any length the time of the House or to make anything in the nature of a lengthy statement in regard to the Bill I now ask leave to introduce. Broadly speaking, there is no change in the policy which the Government adopted last Session, and, in its main outlines the speech which I delivered on the introduction of the Land Purchase Bill in February last would serve for the introduction of the present Bill. But, of course, we have had forced upon our notice the great difficulties—mechanical difficulties, if I may so describe them—which attend the getting of long and complicated measures through this House. We have seen that in the House of Commons, at all events, it is not always the best Bills that survive. It is the shortest Bills that survive; and in view of that fact we have cut the measure brought in last Session into two halves. I will describe very briefly to the House the contents of each of the two Bills which stand in substitution of the Bill brought in last Session. Before doing so let me say that we have introduced a simplification of the procedure of last Session, which, although I do not think it is an improvement in itself, at all events makes the Bill a good deal less cumbrous and complicated. In the Bill of last Session a good many improvements were attempted on the ordinary machinery of the Ashbourne Acts now in force. In the present Bill we have grafted the new loan upon the old machinery of the Ashbourne Acts, and have thereby considerably shortened and simplified the Bills we now have to ask the House to consider. The first Bill—Bill No. 1—contains two parts. The first part grafts upon the machinery of the Ashbourne Acts loans of stock to the same amount as were proposed to be authorised last Session and under the same safeguards as were contained in the Bill of last Session. We propose to give to the tenants in each county in Ireland power to borrow money for the purchase of their holdings up to 25 years' purchase of the guarantee fund of that county, the guarantee fund in this Bill being precisely the same as the guarantee fund in the Bill we introduced last Session. The new money, therefore, to be lent under Bill No. 1 to the tenants of Ireland—money to be lent against the guarantee stock—is precisely the same as the amount lent against guarantee stock in the Bill of last Session, and is lent under precisely the same limitations, conditions, and safeguards. The Treasury will have precisely the same protection, and the land lords and the tenants will have exactly the same privileges, and precisely the same amount will be paid to the localities. So much for the first part of Bill No. 1. The second part of Bill No. 1 deals with the congested districts, and is practically a redraft of the congested districts portion of last Session's Bill. The two portions of Bill No. 1 contain together only about 20 substantive clauses, and those gentlemen who were not unnaturally alarmed by the bulk and complexity of the measure we brought in last Session I hope will be considerably relieved by seeing it reduced this Session. I ought to say that Bill No. 1, in addition to providing the same loans as were provided for last Session, and in addition to dealing with the congested districts in the manner we dealt with them last Session, provides also by a single clause the giving of fixity of tenure to the Land Commission. It will be seen, therefore, that if Bill No. 1 passes it will contain within itself a very large measure—as large a measure, in fact, of land purchase as the Bill of last

Session. It will contain as liberal a method of dealing with the congested districts, and it will give that fixity of tenure to the Land Commissioners of 1881 and 1885 which everybody, I think, to whatever Party in the House he may belong, has always regarded as desirable. Bill No. 2 practically contains those parts of the Bill of last Session which are not contained in the Bill No. 1, which I have just described to the House. Of course, Bill No. 2 is considerably simplified by the fact that we have adopted, without material alteration, the machinery of the Ashbourne Acts; but it contains certain improvements on that machinery. It contains such provisions as the turbary clause of last Session; it contains provisions for dealing with head rent; and it contains, of course, provisions for dealing with perpetual leaseholders. It contains also the scheme we laid before the House last Session for constituting a Land Department. Now, I have broadly explained, with as much detail as I think is required, the procedure that we intend to adopt. I may just add that there are one or two points of, I think, small importance in which we have made alterations in the new Bill. Objection was taken from various quarters last Session to the 20 years' limitation in the Bill we then introduced. That limitation, as the House is aware, was not intended to be any indication on the part of the Government as to the price at which land should be sold in Ireland. It was, however, taken both by the purchasers and the sellers of land as indicating on the part of the Government some opinion as to the value of Irish land. It did not seem essential to our general scheme, and the limitation of 20 years' purchase does not appear in the new draft. [*Cheers and cries of* "Oh, oh!" *from the Irish Members.*] I think I hear unmistakable expressions of dissent from hon. Gentlemen opposite. It will be in the recollection of the House when I say that the first and only Amendment proposed to the limit of 20 years' purchase appeared not in the name of any representative of the landlord interest in this House, but in the name of the right hon. Gentleman the Member for Newcastle-on-Tyne (Mr. John Morley). The second point which I call the attention of the House to is almost consequential upon the fact that we have adopted the Ashbourne Act machinery. In the machinery we proposed last Session there was a plan by which, in case of difference of opinion between the seller and the purchaser, it was possible, with the consent of both, to appeal to the Land Department to have the price of the holding fixed. That added considerably to the complexity of the Bill. It did not appear to meet with very much favour either in the House or in the country, and that again is not in the Bill now laid before the House. The third alteration in the Bill to which I think it may be advisable to call the attention of the House relates to the 80 per cent. of the fair rent which the tenant has to pay. The House will recollect that by the Bill of last year every purchaser in Ireland was obliged to pay for the first five years after he had purchased a sum of at all events not less than 80 per cent. on his fair rent. At the end of the five years the annuity that he had to pay was reduced, not merely to the normal annuity, but below the normal annuity, so as to make the total amount paid at the end of 49 years equivalent to an annuity of 4 per cent. throughout that period. The general system of land purchase which we adopted last year was criticised last Session from two opposite quarters—both by the Opposition and by critics in the country. Some persons said, "Oh, unless you give the tenant a great deal more he will never buy at all." Others said, "If you give him immediately all that you propose to give him, there will be such pressure put upon the landlords, and such discontent upon those estates where purchase has not taken place, that you will find yourselves involved in even greater agrarian difficulties than those against which you have at present to contend." Well, I am still of opinion that probably the best general arrangement for Ireland is that which I proposed last Session, and that is the arrangement which will be adopted in the first instance under this Bill. But power is given to the Lord Lieutenant, with the consent of the Treasury, under certain circumstances, if he should think fit, to prolong the period during which that 80 per cent. may be paid. ["Oh!"] Let the House make no mistake upon that point. This action of the Lord Lieutenant is always to be prospective, and never retrospective; that is to say, his action cannot interfere with any bargain already entered into. The tenant who has bought on the understanding that he is to pay 80 per cent. on his fair rent for five years, and five years only, will pay 80 per cent. for five years and five years only. But if it should appear to the Lord Lieutenant, from the great run of purchasers, or any other reason, that the five years may be prolonged in future cases of purchase, it will be in his power, subject to the consent of the Treasury, to make that prolongation, the result of which, of course, will be that the tenant will pay 80 per cent. for a longer period than he otherwise would have done, and he will pay his debt back to the Exchequer at a quicker rate. Moreover, when we recollect that all advances under 25 years' purchase of the Guarantee Fund are to be made out of repayments, we thereby enable the purchase to take place more quickly. The result of course will be that in those counties where there is a great desire to buy, and a great rush of tenants to the Land Commission, repayment will be quicker, and more tenants will be able more quickly to take advantage of the boon which the State now offers. Well, Sir, there remain only two points with which I think I need trouble the House. It will be in the recollection of the House that last Session the hon. Gentleman the Member for Cork (Mr. Parnell) pressed very strongly on the attention of the House his view that we had included in our scheme too many holdings—that the money being necessarily limited in the first instance, we had admitted too many competitors for this public boon, and that we ought to have limited the privilege of purchase to tenants (I think that was his view) under £50 valuation, and in no case to extend it to grazing tenants. Well, I have thought over the proposal of the hon. Gentleman, which I think was advanced in a perfectly practical spirit, and I do not feel myself in a position to go the whole length suggested by him. I think the limit he suggested is too rigid, and would leave outside our Bill, and render discontented with the arrangements proposed under the Bill, very important members of the agricultural community in Ireland. I therefore cannot accept the limitation of £50 valuation which the hon. Gentleman proposed, but I have largely limited the scope of the Bill. I have excluded from it all purely grazing farms, and I have excluded from it all farms on which the tenant does not reside. Our object in this Bill, as the House will readily understand, is to create a class of occupying owners. To sell a holding to a man who does not live upon it is obviously not to cary out the object and intention of the Bill. and I have, therefore, introduced a clause which I hope will meet, to a great degree, the wishes of the hon. Member for Cork, excluding all purely grazing farms and all holdings upon which the tenant does not reside. The only other point, which is, perhaps, the most critical and difficult connected with this Bill, relates to the proposal pressed upon us, not from one quarter of the House alone, but from several quarters, with regard to the powers to be exercised over the operation of the Bill by the localities interested. It will be recollected that the hon. Member for Cork (Mr. Parnell) speaking for his Party, the right hon. Gentleman the Member for Mid Lothian (Mr. Gladstone) speaking for his Party, and the right hon. Gentleman the Member for Birmingham (Mr. J. Chamberlain) speaking for his Party, have all independently and powerfully advocated the view that it was not fair, that it was not just, and not in accordance with usage, to prevent localities from having any voice in determining whether or not their own funds should be mortgaged for purposes affecting these localities. I have given my best consideration to the propositions advanced from these quarters, and I have done my very best to balance the arguments *pro* and *con.* I must frankly admit to the House that the result of my consideration has not been to convince me that the original framework of the Bill was not the best that could be devised. But let the House remember how the matter stands. As the right hon. Gentleman the Member for Birmingham, who I think argued his point with greater power and at greater length than any other Member of the House, said, "You are taking funds which belong to the county as much as if they were raised in the county, but without the county's consent, and mortgaging them, and you are giving the benefit of that mortgage to persons not selected by the county and absolutely independent of the county." It is impossible not to feel the enormous force of that objection as it stands. I quite feel that the proposal is not in accordance with the ordinary practice of this House. I quite feel that if a Land Purchase Bill were promoted for England exactly on these lines it is probable, even almost certain, that the House would decide that the Local Authority should have something to say to the mortgaging of its resources. But what are the arguments on the other side? What are the arguments that induced me last Session to bring in a Bill with this provision, and that have again induced me to submit it to the consideration of the House? They are these: I do not think that you ought to consider this question of land purchase in Ireland as a local question at all. We are using British credit, as everybody knows, for the purpose of carrying out what we believe to be a vital reform in the land system of Ireland. We are not doing it primarily for the benefit of this or that county, but for the benefit of the Empire as a whole. And not only are we using British credit without the slightest risk, but we are actually asking Parliament to spend a considerable sum of money in carrying out the scheme, for the House will recollect that the whole cost of the machinery falls upon the Imperial and not upon the local exchequer. The justification of that, which I think is full and ample, is that this is largely an Imperial concern. Very well; you must therefore draw a profound distinction between a scheme of land purchase for the benefit of the several counties in Ireland and a scheme for the benefit of roads, asylums, waterworks, harbours, and other local purposes in that country. These latter are really and truly local purposes, and for these, if Parliament were to propose to mortgage local resources, local consent should first be asked. That is one wide distinction which I draw between the objects of this Bill and the ordinary local purposes subserved by the Local Authorities of the country. There is another consideration which must not be left out. It is a matter of notoriety that the land question has been largely used for political objects—that is to say, agrarian discontent, in many of its aspects of long standing in Ireland, has in recent years been used by politicians for political objects. I do not put it offensively. Nobody will, I think, deny that; and if it be admitted, and if we are bound to look at the realities of Irish life full in the face, is it not absurd to leave it entirely to local committees to determine whether they shall or shall not adopt a remedy intended to go to the root of the agrarian question? [*Laughter from the Irish Benches.*] The argument may be a good or a bad one, but I venture to think that it is not a common one; and I am at a loss to understand what has so moved the hilarity of hon. Members opposite. I have briefly endeavoured to recapitulate the reasons on both sides, and, although I freely admit that the reasons against the Bill as it now stands are of a very strong character, I am still of opinion that on the whole the balance of argument lies against giving the control to the localities. That, however, is a question upon which the general opinion of the House must be consulted, and, of course, if there is a strong general feeling in the House against the proposal it will be impossible for us to keep the Bill exactly in its present shape. I have thought over the various methods by which, if a change is to be made, that change might be effected with the least detriment to the Bill as I should like to see it carried through the House. One proposal has been to make the scheme dependent on Local Authorities which are to be hereafter constituted. I think that scheme is impracticable. You cannot load this Bill with a Local Government Bill. You cannot introduce into the Bill a provision for constituting County Councils in Ireland. That is absurd. Very well; if you are going to wait until a Bill constituting County Councils in Ireland is passed, at the rate at which the House of Commons does its business, you will have to wait at least for some months. Now during these months, if this other Bill is passed, you cannot forbid purchase going on. If you put a clause into this Bill saying that County Councils, when they come into existence, are to possess a veto upon its operations, you would find yourselves in the absurd position of allowing a certain number of sales to be effected, after which the County Councils, when constituted, might step in and stop the whole operation. I do not think that that is practicable. If you are to give any local control at all you must give it by way of *plébiscite.* You must put the matter Ay or No to the ratepayers, and ask them to give, under the safeguard of the Ballot, their verdict, Ay or No. There are obvious advantages in that plan. It would be very undesirable for the County Councils when they come into existence to do more political work or to come more into contact with political controversies than is absolutely necessary. The ratepayers are perfectly competent to give a decision, and there ought to be no difficulty in their adopting the ordinary machinery of Parliamentary elections by means of the Ballot for determining this simple issue. Now, what is the issue that should be submitted? I would ask the House to recollect that the guarantee portion of the fund, which is the fund to be mortgaged for land purchase in Ireland, is divided into two portions—a cash portion and a contingent portion. The cash portion consists of certain subventions from Imperial sources for local purposes, which did not exist three years ago, and which are for the most part allocated to roads and other local purposes. I see no reason why there should, under any circumstances, be any interference by localities allowed with this cash portion of the guarantee. I think we may very well advance the money upon the cash portion of the Guarantee Fund without asking their consent. The contingent portion of the Guarantee Fund is applied to different purposes—such purposes as education, supporting pauper lunatics, and other similar purposes which are scheduled in the Bill of last Session. These purposes are such as the Government have been committed to, they come very near to the local life of the population, and they are purposes which it would be disastrous to stop under any circumstances; and if the kind of compromise which I am now with great diffidence suggesting be adopted, I would recommend the House, if they insist on doing anything, to have this *plébiscite* applied to the mortgage of the contingent portion, and the contingent portion only, of the Guarantee Fund of each county. I may perhaps have travelled beyond the ordinary province of a First Reading speech in making these suggestions, but I thought I ought to be frank with the House, and to explain why you will find nothing in the Bill of the nature of local control. I thought I was bound to tell the House why, after the best consideration I have been able to give to the subject, I still desire the Bill to remain in the shape in which it is, but I thought it might serve a useful purpose if I threw out in this tentative manner a suggestion which would, in my point of view, be the least pernicious that could be made with respect to giving to the localities any control over the operations of this Bill and the administration of this fund. I do not think that I need add anything more. I did not intend to make, and I hope I have not made, a long speech. I have only given the barest and most naked outline of the small and immaterial changes we have made in our programme. Those changes have been principally in machinery. They have been designed almost entirely to facilitate the passing through this House of a great measure of Land Purchase with due safeguards, and I hope that the House will without undue delay proceed to its consideration.

Motion made, and Question proposed,

"That leave be given to bring in a Bill to provide further funds for the Purchase of Land in Ireland and to make permanent the Land Commission, and to provide for the improvement of the condition of the Congested Districts in Ireland."—(*Mr. A. J. Balfour.*)

(4.40.) MR. LABOUCHERE (Northampton): I am aware that I am taking a somewhat unusual course in proposing that an important Bill of the Government should not be read a first time and submitted to the House, and I feel that it is necessary I should give my reasons for taking that step. I am entirely opposed to this Bill upon its merits, but that is not the main reason which has induced me to bring forward my Amendment, because I am aware that there would be other opportunities for entering a protest upon the Second Reading and on Committee. But I find that the measure is practically the same as that of last Session. The only difference between the two Bills that I can see is that the present one gives a further advantage to the landlords, and reduces to a certain extent the security which the English taxpayers who are to provide the money for carrying out the scheme will have. The right hon. Gentleman, in order to avert opposition, has said that the Bill practically represents merely his own personal opinions, and that he is ready to alter it in any way if there is a consensus of opinion in the House—that is to say, amongst the Liberal Unionists—against its present form. But, Mr. Deputy Speaker, the main fact remains that the Bill, just like the Bill of last Session, pledges English credit. The right hon. Gentleman has not blinked the fact. He has told us that the Bill will pledge British credit for the benefit of the Empire, but its real object is to buy out the English landlords in Ireland. I think it was stated last Session that the amount to be expended at once is £8,000,000, but that is only a very small portion of the liability we undertake. If the plan of the Government is accepted, it will have to be carried out on a much larger scale than was suggested last Session, and the State will become the possessor of all the land of Ireland that is purchased with British credit. Moreover, there will be two classes of tenants in Ireland, one paying a certain rent, and another paying a lesser rent, and from the very fact of paying a lesser rent, becoming the owner of the property at the end of 30 years. There is no such thing as a nominal risk when you advance money, and, with all respect for Irish Members, there is no such thing as nominal risk when you advance money to Irishmen. The right hon. Gentleman says the State has cover in funds which it has in its hands for the maintenance of lunatics, paupers, and so forth, but the right hon. Gentleman admitted that it would be a monstrous thing to withdraw those funds from the objects for which they were intended.

Mr. A. J. BALFOUR: No, I did not.

Mr. LABOUCHERE: Then I can only say that I am surprised the right hon. Gentleman did not say so, for it would be a monstrous thing, and I cannot imagine that for a moment he would dream of turning loose all the paupers and lunatics in Ireland because the Irish people did not pay something they were called upon to pay without having been asked their opinion on the matter. During the recess a letter was published by Mr. Gregory, who was formerly one of the most eminent lawyers on the Conservative side of the House, and who has had as much as any one to do with mortgages and the transference of land, and Mr. Gregory says that the security offered is one which no private person or public company would accept. There is no doubt that no private person or public company would accept it, because if they did it would not be necessary for Parliament to put its name on the back of the Bill; and, as Parliament does so, the money will be borrowed on our security, and nothing but our security. It is possible that land in Ireland may yet go down in value, as it has done during the last 15 years, and the purchasers may, therefore, be placed in the position of being unable to pay the money, even if they wished to do so. They are not consulted as to the amount, which is to be on the basis of the present rent, and that is regarded in many cases as being most unfair and unjust, so that the purchasers would have a legitimate right to refuse to pay. If they did refuse, what security could the State have? As the Duke of Wellington said, you cannot evict a whole nation. It is admitted on all hands that the Bill does pledge British credit, and before such an enormous liability is undertaken the constituencies ought to be consulted. I have always been under the impression that typical Conservatives hold, even more strongly than we do, that there is a limit to the power of any particular House of Commons or Parliament. When we have protested against the action of the House of Lords they have said that it is one of the advantages we possess in guarding against the House of Commons passing any important measure without consulting the constituencies. In such a case it is considered right for the House of Lords to provoke a dissolution by throwing the Bill out. From a Conservative standpoint this theory acts very well when the Liberals are in office, but when the Conservatives are in power the House of Lords for such a purpose is practically non-existent, and that renders it all the more necessary in this case to take action against the First Reading of the Bill. The case against this Bill is stronger still, because the Ministerialists and the Unionists opposed the Land Purchase Bill of the right hon. Member for Mid Lothian (Mr. Gladstone) on the ground that it involved Imperial credit. [*Cries of* "Oh!"] Oh, yes, I daresay that hon. Gentlemen opposite want to forget the fact, but it is abundantly proved by their election addresses, of which an interesting collection can be seen at the British Museum. If the right hon. Gentleman opposite and his Party, and the right hon. Member for Birmingham (Mr. Chamberlain) and his Party—whatever that Party may be, for I cannot find it—will turn to the addresses of hon. Members at the last General Election, they will find that the Ministerial majority were returned on the distinct understanding that they were opposed to an Imperial guarantee. They may have changed their opinions; but, having got into power on one opinion, they have no right to act upon another without consulting the constituencies. Hon. Gentlemen opposite will therefore see that I am logical in protesting against this Bill, which I regard as contrary to the wishes of the constituencies as expressed at the last General Election. Indeed, in my belief, it is an absolute fraud upon the constituencies; and for these reasons I beg to move the Amendment which I have placed upon the Paper.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "it is undesirable for this House to entertain any proposal to pledge the credit of the country for the purpose of land purchase in Ireland until the question has been brought before the constituencies, and their assent obtained, at a general election,"—(*Mr. Labouchere,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

(4.55.) SIR WILFRID LAWSON (Cumberland, Cockermouth): I rise with great pleasure to second the Amendment proposed by my hon. Friend. I think the House is fully aware of the nature of this proposal for land purchase. We have had three great Land Purchase Bills before Parliament in a very short space of time. First there was the Bill of the right hon. Gentleman the Member for Mid Lothian, and I suppose the reason why it met with any sort of acceptance on the Liberal side of the House was that it was connected with a great measure for Home Rule. That was the only ground taken up by the Liberal Party for supporting it, but I do not think that even that ground would induce them to support so extensive a measure of land purchase as that which is now submitted. What was the course taken by hon. Gentlemen opposite? Now, Sir, the right hon. Gentleman the Chief Secretary has told the House that this Bill is virtually the same in spirit and scope and object as that which was brought forward last year, although, as he has stated, its details have been somewhat altered, and, as far as I have been able to make out, they are somewhat worse than they were last year. The noble Lord the Member for South Paddington (Lord R. Churchill), speaking of the Bill of last Session, said—

> "This Bill makes the State creditor to the Irish Treasury to the extent of some £40,000,000, an amount which it is contemplated may be doubled, trebled, or quadrupled as years go by."

Then, again, my hon. Friend the Member for Elgin (Mr. Seymour Keay) wrote a pamphlet on that Bill of 1889 in which he said—

> "The amount for which the British taxpayer is asked to become liable under this Act and the Ashbourne Acts, supposing that the means could be all raised at 2¾ per cent., is more than £162,000,000."

Well, Sir, I ask can there be anything more serious than a measure the effect of which will be to pledge the credit of this country at some future time for so enormous a sum as this? I must say that I know of nothing which has been brought before this House for a long time that is of so much importance as the measure which the right hon. Gentleman has just asked leave to introduce. Last year the Government brought in a measure which proposed to devote the money of the taxpayer to the benefit of the brewers, whereas this year a measure is brought forward by Her Majesty's Government for the benefit of the Irish landlords. It is my belief that if we can only get the country to understand this question the English people will not consent to the Government extorting money from them for the purpose of advantaging the Irish landlords, any more than when the former proposal was made they would permit money to be taken out of their pockets for the benefit of the brewers. The right hon. Gentleman has said the Bill does pledge British credit, and added, speaking quickly as if he were ashamed of the statement, "without any risk to the Exchequer." If there is no risk to the Exchequer why should the guarantee be put into the Bill at all? It is altogether absurd to say there is no risk to the public, and at the same time to put a provision into the Bill for the purpose of giving a guarantee. Why, I ask, is this Bill introduced? I should like to call the attention of the House to this point for a moment. It is surely not because the tenants are badly off in Ireland; because, when I read the speeches made by Unionists and Tories—and I will take for example the hon. Member for South Tyrone (Mr. T. W. Russell)—I find them stating over and over again that there are no tenants in the world who are in possession of such privileges as the Irish tenants. It certainly does not appear to me, on the statements of the supporters of the Bill, that any such measure is wanted by the people of Ireland. Not a bit of it; and, on the other hand, I find from the Unionist and Tory speeches that the tenants of Ireland are the most prosperous and contented of any tenantry in the world. I believe that the great majority of the Irish Representatives do not want the Bill. I do not know, however, what course they will take just now. It may not be quite so satisfactory as I might have been led to expect; but, certainly, from what took place last Session, I am inclined to think that the great majority of the Irish Representatives do not want this Land Bill.. But I suppose that is the reason why it has been brought in. [*Laughter.*] Yes; I will tell you why. Last Session we had this Bill—or one like it—before us, and what did Lord Derby say on that occasion? Speaking on the 9th of April in the present year, Lord Derby said—

> "I have no hesitation in expressing approval of the principle on which the Irish Land Purchase Bill is founded. The opposition offered to it by the Irish Nationalist Party is, to my mind, an argument in its favour."

There can be no doubt that this measure, if passed, will enormously increase the indebtedness of this country, and for no good purpose that I can see; yet it is for this object that we have been summoned here in the depth of winter from our happy homes. I am afraid there is still on the part of some of my right hon. Friends on the Front Opposition Bench a sneaking kindness for Land Bills. We shall hear some of them, I hope, before the night is over, and I trust that we shall have from them some clear deliverances on the subject. But I cannot help being a little afraid. Why should they go on with these Land Bills? Why, Sir, they are sitting on that Bench mainly because they brought in a bad Irish Land Bill, and I can assure them that they will never sit on the Bench opposite through the support they may give to a very bad Bill now. My hon. Friend below me has pointed out that you are going to make the taxpayers of this country virtually the landlords of Ireland. Can anything be worse than that? I will give you the words of a very great statesman. They are words which were quoted in a Liberal Unionist publication, and spread widecast through the country. When I have read them, I will tell you the name of the great statesman who used them. He said—

> "Working men of England and Scotland, you will have to evict the tenants, you will have to collect your rents at the point of the bayonet, and prepare to be a party to such contingencies. British credit, built up as it has been by past generations, is a precious reserve to be held for times of need and necessity, and I will not anticipate it for the benefit of Irish landlords."

I hope to hear the same noble and patriotic words from my right hon. Friend the Member for West Birmingham again. Why should he or anyone be anxious to devote the money, the hard-earned money of the people of this country for any such purpose as this? Why are we to buy the Irish landlords out? Let me quote one sentence from the *Manchester Guardian.* It is a journal which does not agree with my view. It is in favour of some sort of land purchase, and here is one sentence which I read in an article arguing the case—

> "The West cannot support landlords, and the landlords must be bought out on fair but not unreasonable terms."

The land cannot support them there. They are carrying on a bankrupt business, and you are to buy them out on fair terms. Fair terms for a bankrupt business mean nothing at all. These landlords are very unfortunate men I admit. They have lived a long time by letting land. That is their business. The letting of land has become a bad business, an entirely bankrupt business in some parts of the country. They can make nothing out of it. And then they come to Parliament and say, "Because our business is bankrupt you must buy it up for us with the taxpayers' money." You might just as well buy up all post-horses because the posting business has gone wrong. Why should these landlords be treated on a different footing to any other traders? I would like to know that, and I would like to have an answer to-night. What is the use of a landlord? I am a landlord myself. I never found out what use I was. I ask my right hon. Friend the Member for Newcastle what is the use of landlords? If he cannot tell me, my right hon. Friend the Member for West Birmingham can. He will tell me that he is a man "who toils not, neither does he spin." I have no animosity to Irish landlords. But I do say that the only people who are of any use in the country are those who produce wealth, not the people who put the money into their pocket. These Irish landlords, of all people, what have they done for us? Why, we are at this moment in all sorts of trouble and perplexities because we have been governing Ireland in the interests of the landlords. Instead of government of the people by the people for the people, it has been government of the landlords by the landlords for the landlords. Let me quote a paper highly valued on the other side—the *Times*. What did it say of the Irish landlords in the year 1852?—

> "The name of an Irish landlord stinks in the nostrils of Christendom."

What have the Irish landlords done since 1852? If they were so bad then, what great service have they done since 1852 that we should be called upon to give them such large sums of money? I know of nothing they have done except support Her Majesty's Government. Of course the Government say: "We will support those who support us. Whether they are sugar refiners, brewers, clergymen, or landlords, if they vote straight they shall have money given them." It is all right. It is the Tory system, of course, which puts the money of the many into the pockets of the few. Here, in an Autumn Session of an old Parliament, we are called upon by the very men who up hill and down dale opposed it at the General Election to pass this Bill. I say it is one of the most monstrous proceedings ever indulged in in the British House of Commons. You talk about the mandate of the country. I know I have no mandate except to oppose such nefarious schemes tooth and nail, and I will do so. I say, if there be a Liberal Party left in this House, it is its duty to oppose clause by clause, line by line, and letter by letter, a measure which is designed to squander national property in a reckless, rash, and, I should say, in a nefarious manner.

(5.15.) The House divided:—Ayes 268; Noes 117.—(Div. List, No. 1.)

Main Question put, and agreed to.

Bill to provide for the purchase of Land in Ireland and to make permanent the Land Commission, and to provide for the improvement of the condition of the Congested Districts in Ireland, ordered to be brought in by Mr. Arthur Balfour, Mr. Chancellor of the Exchequer, and Mr. Attorney General for Ireland.

Bill presented, and read first time. [Bill 111.]

LAND DEPARTMENT (IRELAND) BILL.

On Motion of Mr. Arthur Balfour, Bill to constitute a Land Department, and to amend the Laws relating to the Purchase of Land in Ireland, ordered to be brought in by Mr. Arthur Balfour, Mr. Chancellor of the Exchequer, and Mr. Attorney General for Ireland.

Bill presented, and read first time. [Bill 112.]

TRANSFER OF RAILWAYS (IRELAND) BILL.

(5.30.) **MR. A. J. BALFOUR**: I have to move for leave to bring in a Bill to authorise the transfer of the powers of promoters of Railway and Tramway Undertakings, under the Tramways (Ireland) Acts, to certain existing Railway Companies; and for other purposes. Perhaps I may be allowed one word of explanation in regard to it. The Bill is a very small one, but it is required to effect certain technical alterations in the Railway Act of 1889. Under that Act both persons and Railway Companies had a right to promote railways and to obtain presentments, and a certain number of individuals surveyed lines and obtained the necessary presentments. But the policy of the Government of the House has been to induce Railway Companies to become responsible for the working of the lines, and the whole object of this Bill is to enable the powers under presentments obtained by individuals to be transferred to the Railway Companies. The measure is of great importance in view of the existing, or approaching, distress in parts of Ireland, because, if carried, it will enable the Kerry line to be proceeded with at once, and will be useful also in other parts of the country.

Bill to authorise the transfer of the powers of promoters of Railway and Tramways Undertakings, under the Tramways (Ireland) Acts, to certain existing Railway Companies; and for other purposes, ordered to be brought in by Mr. Arthur Balfour and Mr. Jackson.

Bill presented, and read first time. [Bill 113.]

PRIVATE BILL PROCEDURE (SCOTLAND) BILL.

On Motion of the Lord Advocate, Bill to amend the Procedure in regard to Private Bills relating to Scotland, ordered to be brought in by the Lord Advocate, Mr. William Henry Smith, Mr. Chancellor of the Exchequer, and Mr. Solicitor General for Scotland.

Bill presented, and read first time. [Bill 114.]

PLACES OF WORSHIP (SITES) BILL.

On Motion of Mr. John Ellis, Bill to give further facilities for the acquisition of Sites for Places of Worship, ordered to be brought in by Mr. John Ellis, Mr. Broadhurst, Mr. Burt, Mr. M'Arthur, and Mr. Henry J. Wilson.

Bill presented, and read first time. [Bill 115.]

RAILWAY SHAREHOLDERS (LICENSING SESSIONS) BILL.

On Motion of Mr. Maclure, Bill to remove the disabilities of Railway and other Shareholders in Public Companies to act at Licensing Sessions, ordered to be brought in by Mr. Maclure, Mr. Fielden, Mr. Hermon-Hodge, Colonel Laurie, Sir Edward Watkin, and Mr. Byron Reed.

Bill presented, and read first time. [Bill 116.]

METROPOLIS MANAGEMENT ACTS AMENDMENT BILL.

On Motion of Sir John Lubbock, Bill to amend the Metropolis Management Act in regard to the election and qualification of vestrymen, the alteration of wards of parishes, and to certain sanitary matters, ordered to be brought in by Sir John Lubbock, Earl Compton, Mr. Lawson, and Mr. James Stuart.

Bill presented, and read first time. [Bill 117.]

BRINE PUMPING (COMPENSATION FOR SUBSIDENCE) BILL.

On Motion of Mr. Brunner, Bill to provide Compensation for owners of property suffering through the subsidence of the ground caused by the Pumping of Brine, ordered to be brought in by Mr. Brunner, Colonel Cotton-Jodrell, Mr. Tollemache, Mr. Jennings, and Mr. M'Laren.

Bill presented, and read first time. [Bill 118.]

FRIENDLY SOCIETIES BILL.

On Motion of Mr. Warmington, Bill to render the accounts of Friendly Societies and Benefit Building Societies subject to a Government audit; and for other purposes, ordered to be brought in by Mr. Warmington and Mr. Randell.

Bill presented, and read first time. [Bill 119.]

BANKRUPTCY (IRELAND) BILL.

On Motion of Mr. Peter M'Donald, Bill to amend the Law of Bankruptcy in Ireland, ordered to be brought in by Mr. Peter M'Donald, Mr. Sexton, Mr. John Redmond, Mr. M'Cartan, Mr. Thomas Dickson, Mr. Lane, Dr. Commins, Mr. John O'Connor, and Mr. John Barry.

Bill presented, and read first time. [Bill 120.]

POOR LAW BILL.

On Motion of Mr. Alfred Thomas, Bill to amend the Poor Law, ordered to be brought in by Mr. Alfred Thomas, Sir Walter Foster, Mr. Abraham, and Mr. Conybeare.

Bill presented, and read first time. [Bill 121.]

BEER ADULTERATION (NO. 2) BILL.

On Motion of Mr. Quilter, Bill for better securing the purity of beer, ordered to be brought in by Mr. Quilter, Mr. Heneage, Viscount Wolmer, Sir Henry Selwin-Ibbetson, Mr. Herbert Gardner, Mr. Francis Stevenson, Mr. Gurdon, Colonel Lloyd Anstruther, and Mr. Llewellyn.

Bill presented, and read first time. [Bill 122.]

TRUST COMPANIES' BILL.

On Motion of Sir Horace Davey, Bill to enable incorporated Companies to act as executors, administrators, and trustees, and in other fiduciary capacities, ordered to be brought in by Sir Horace Davey, Mr. Osborne Morgan, Colonel Makins, and Mr. F. W. Maclean.

Bill presented, and read first time. [Bill 123.]

BUILDING LANDS (SCOTLAND) BILL.

On Motion of Mr. Munro Ferguson, Bill to deal with the Purchase of Land by Local Authorities in Scotland, ordered to be bronght in by Mr. Munro Ferguson and Mr. Haldane.

Bill presented, and read first time. [Bill 124.]

ACCUMULATIONS BILL.

On Motion of Mr. Birrell, Bill to amend the Law relating to Accumulations, ordered to be brought in by Mr. Birrell, Mr. Cozens-Hardy, Mr. Elton, and Mr. Neville.

Bill presented, and read first time. [Bill 125.]

ACCESS TO MOUNTAINS (SCOTLAND) BILL.

On Motion of Mr. Bryce, Bill to secure to the Public the right of Access to Mountains and Moorlands in Scotland, ordered to be brought in by Mr. Bryce, Mr. Joseph Bolton, Sir Horace Davey, Mr. Crawford, Mr. Haldane, Dr. Farquharson, Mr. Leng, and Sir Henry Roscoe.

Bill presented, and read first time. [Bill 126.]

House adjourned at a quarter before Six o'clock.

by Contract with H.M.'s Government. An Asterisk at the commencement of a Speech indicates revision by the Member.

HOUSE OF COMMONS,

Friday, 28th November, 1890.

MR. SPEAKER'S CONTINUED ABSENCE.

The House being met, the Clerk at the Table informed the House that Mr. Speaker was again unavoidably prevented from taking the Chair of the House this day.

Whereupon Mr. Courtney, the Chairman of Ways and Means, proceeded to the Table; and, after Prayers, took the Chair as Deputy Speaker, pursuant to the Standing Order.

QUESTIONS.

YIELD OF CROPS IN INDIA.

Mr. KEAY (Elgin and Nairn): I beg to ask the Under Secretary of State for India whether the Reports of the crop experiments conducted throughout India have been communicated to the Secretary of State from time to time; whether any Abstract is prepared by the Government of India, or by the India Office, showing the average yield of crops per acre throughout the different districts as deduced from the crop experiments or from other sources; and whether he will lay upon the Table any Papers containing information on this subject?

*The UNDER SECRETARY of STATE for INDIA (Sir J. Gorst, Chatham): My answer to the first question of the hon. Member is, Yes; the answer to the second question is, No. But a suggestion has been made to the Secretary of State to the Government of India that a table of the average yield of the principal crops in the various districts should be prepared. In reply to the third question of the hon. Member, I may say that the information is contained in many Annual and Special Reports, such as are noticed at pages 122 and 123 of the last Moral and Material Progress Report. The Secretary of State does not think it necessary to lay these Reports *en masse* on the Table.

THE INDIA-CHINA OPIUM TRAFFIC.

Mr. SAMUEL SMITH (Flintshire): I beg to ask the Under Secretary of State for India whether he is aware that the Indian Government is arranging for an additional supply of opium to be prepared for consumption in India in consequence of the falling off of the demand for China; and whether he will communicate with the Indian Government and prohibit this policy if it is found to be in contemplation?

*Sir J. GORST: My noble Friend the Secretary of State informs me he has no reason to think that any such policy as that described in the question is contemplated by the Government of India.

TELEGRAMS.

Mr. HOBHOUSE (Somerset, E.): I beg to ask the Postmaster General if it is the rule of the Telegraphic Department of the General Post Office to refuse to compensate persons for loss or expense consequent on the loss, delay, or non-delivery of a telegram, and to refuse to communicate to the person injured the names of the defaulting office or officials?

*The POSTMASTER GENERAL (Mr. Raikes, Cambridge University): If the hon. Member will be so good as to refer to Clause 6 of the notice which is printed on the back of the forms on which the public write their telegrams, he will find an answer to the first part of his question. The clause reads as follows:—

> "6. The Postmaster General will not be liable for any loss or damage which may be incurred or sustained by reason or on account of any mistake or default in the transmission or delivery of a telegram."

As to the latter part of the hon. Member's question, I may say that it is not the practice to give the names of the subordinate officials concerned in the transmission of a telegram or to name the office where a mistake may have occurred. Indeed, in a great many cases it would be impossible to do so, as it cannot always be ascertained with certainty where the fault has occurred or whether it is not due to some momentary disturbance of the wires or other apparatus. The conduct of any defaulting officials is always made the subject of strict inquiry by the Department.

LOCAL TAXATION (EXCHEQUER CONTRIBUTIONS.)

MR. HOBHOUSE: I beg to ask the President of the Local Government Board when the Return, Local Taxation (Exchequer Contributions), ordered 24th July last, will be presented to the House?

*THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE, Tower Hamlets, St. George's): I am unable at present to state when the Return referred to will be presented, but every effort will be made to furnish it as early as possible. In several cases the information required has not yet been received, notwithstanding repeated applications, and in a large number of instances where the Returns furnished appeared to be incomplete or inaccurate it has been necessary to send them back for amendment.

BOARD SCHOOL ATTENDANCE IN LONDON.

MR. BRADLAUGH (Northampton): I beg to ask the Vice President of the Council whether he is aware that, in several of the Board schools under the London School Board, the percentage of attendances to number of boys, girls, and infants on the roll, has been a decreasing percentage during the years 1888, 1889, and 1890; whether he can state if this decrease of attendance is exceptional, or whether it is general in the London School Board district; whether similar decrease in attendance has been brought to his attention in other School Board districts; whether any and what reason has been reported to him to account for such decrease; and whether the Education Department proposes to take any action in the matter?

THE VICE PRESIDENT OF THE COUNCIL (Sir W. HART DYKE, Kent, Dartford): There has, I believe, been some decrease in certain schools within the metropolitan area, but it appears to be due to local and accidental circumstances rather than to any general cause, for the percentage throughout the whole of the London district has been steadily improving since 1887, and for this year stands higher than at any previous time.

THE CLYDE NAVIGATION.

MR. BRADLAUGH: I beg to ask the Lord Advocate whether he is aware of the discovery of a bank more than one mile in length in the fairway of the Clyde navigation; whether the depth at that part marked on the Admiralty chart was from 29 to 19 fathoms, and is now reduced by this bank to a depth of from 6⅔ fathoms to 9 fathoms; and if he can state what steps are taken to put an end to such continued pollution?

*THE LORD ADVOCATE (Mr. J. P. B. ROBERTSON, Bute): I am informed by the Board of Trade that owing to the position not having been closely surveyed, a bank with less than 6 fathoms has been recently discovered by the Admiralty and the Clyde Lighthouse Trust—a little to the south of Cloch Point—where the Admiralty chart showed deep water. With reference to the last part of the hon. Member's question, I understand that an action is in course of being raised for the purpose of obtaining an interdict against the deposit of dredgings in Loch Long.

INSANITARY STATE OF FACTORIES AT BOW.

MR. BRADLAUGH: I beg to ask the Secretary of State for the Home Department whether he is aware that the Inspector of Factories for the Poplar district has had his attention called to the insanitary state of the factories in the close vicinity of the Glaucus Street Board School, Bow Common; whether the health of the teachers and children is reported to be affected thereby; and what, if any, action has been taken to abate the alleged nuisance?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): I am informed by the Chief Inspector that on the occasion of a recent visit of the District Inspector to the school in question, complaints were made of offensive smells, presumably proceeding from factories and works in the neighbourhood, and of indisposition arising therefrom. The Inspector thereupon visited various works with the view of detecting the origin of the nuisance, and he has advised the authorities of the school to address themselves to the Local District Board, who will no doubt take action in the matter. The question is one for the Sanitary Authority.

MR. BRADLAUGH: In view of the answer given by the Home Secretary may I ask the Vice President of the Council whether the Education Department will make any inquiry into the matter?

SIR W. HART DYKE: Yes, it seems to me to be a case for the consideration of the School Inspector, and I will see that proper representations are made to him on the subject.

FOREIGN FRUIT.

MR. H. T. KNATCHBULL-HUGESSEN (Kent, Faversham): I beg to ask the President of the Board of Trade whether he is aware that consignments of fresh foreign fruit are constantly made in this country, packed in English packages, with the names of English salesmen upon them, and sold as English fruit; that the Board of Customs having been applied to to detain such consignments, under the 16th clause of the Merchandise Marks Act, 1887, declined to do so, on the ground that the requirement under that section—

> "That the name of a trader in the United Kingdom should be accompanied by a definite indication of the country of manufacture,"

applies only when such name is borne on goods of foreign manufacture, and not to raw produce such as fruit; and whether, having regard to the fact that the word "goods" in the said Act is defined by Section 3 to mean

> "Anything which is the subject of trade, manufacture, or merchandise,"

he will ascertain if this decision was in accordance with the existing law; and if it is, whether he will take steps, by amending the Merchandise Marks Act of 1887, or otherwise, so as to bring transactions such as these within its scope?

*THE PRESIDENT OF THE BOARD OF TRADE (Sir M. HICKS BEACH, Bristol, W.): No, Sir; I was not aware of the facts alleged in the question, but having consulted the Commissioners of Customs, I am informed: "(1) That fruit imported into this country packed in a particular manner or in a particular shape would not be amenable to the Merchandise Marks Act merely on account of the mode of packing or the shape of package; (2) that mere address marks on outer packages are not treated as coming within the operation of the Act; and (3) that the requirement under Section 16 of the Merchandise Marks Act, 1887, that the name of a dealer in the United Kingdom should be accompanied by a definite indication of the country in which the goods were made or produced applies only where such name is borne on articles of foreign manufacture, and not when it is borne on packages of raw produce such as fresh fruit. But in any cases where the name of a dealer in this country on the package was not a mere address mark, but could be held to give a British character to the fruit, the fruit could be dealt with under Section 3 of the Act." Under these circumstances, I do not think it is necessary to propose any amendment of the existing law.

IRELAND—PURCHASES UNDER THE ASHBOURNE ACTS.

MR. KEAY: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether his attention has been called to the proceedings at recent meetings of tenant purchasers of holdings under the Ashbourne Acts, who have bought from the Duke of Leinster, the Marquess of Bath, the Marquess of Waterford, and others, and who are now agitating for the postponement of the annual instalments which they owe to the State; whether he will state the total amount of rental on each of these estates respectively which formed the basis of the calculation on which the purchases were effected, and whether he will state the total amount of rent actually paid on each of these estates by the tenants who purchased their holdings during the five years preceding the date of purchase, and the amount of arrears which had accumulated at the time of such purchase?

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): I understand that in some instances tenant purchasers have asked that the repayment of their purchase annuity should be extended over a greater period than the existing statutable one, or that payment of this year's instalment be deferred until the expiration of that statutable period. For particulars as to the area, rental, valuation, and purchase money of the properties sold, I would refer the hon. Member to the special Parliamentary Returns on the subject—namely, No. 81 of Session 1889, and No. 115 of Session 1890. For additional particulars in regard to the sale of the Leinster estate, I would refer to my reply to a question put by the hon. Member for South Kildare on August 14th last (*Hansard*, Third Series, vol. 348, p. 970), where it is shown that the late Very Rev. Dr. Kavanagh, P.P., who conducted the negotiations on behalf of the tenants, wrote to the Irish Land Commissioners that the tenants were free contracting parties; that they had made excellent bargains; that their rents were low; and that the purchase would reduce these rents by 25 per cent. I may now further add that of the 348 tenant purchasers on this estate all have paid their annuities due May 1, 1890, except two, and their indebtedness does not exceed £20. The guarantee deposits amounting to upwards of £50,000 are untouched. The Commissioners have no record in regard to the subject matter of the last paragraph.

MR. KEAY: Arising out of the reply of the right hon. Gentleman, may I ask how it is that, without any regard to the amounts of the rents actually paid and of the arrears unpaid, the Commissioners have found themselves able to perform their duties under the provisions of the Act?

MR. A. J. BALFOUR: I do not see how that question arises out of my answer; but I will make inquiry.

MR. SEXTON (Belfast, W.): As it affects the question of the Land Purchase Bill, will the right hon. Gentleman place on the Table a Return showing up to the present time the number and extent of the farms in reference to which intending purchasers have applied to the Government for a relaxation of the terms of the Act?

MR. A. J. BALFOUR: No, Sir; I do not think anything would be gained by that.

ANGLO-PORTUGUESE AGREEMENT.

MR. BUCHANAN (Edinburgh, W.): I beg to ask the Under Secretary of State for Foreign Affairs whether he will lay upon the Table Papers containing the Agreement of 20th August between Great Britain and Portugal, Correspondence relating thereto, and the *modus vivendi* recently concluded between the two Powers?

THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir J. FERGUSSON, Manchester, N.E.): The Papers referred to are being prepared, and will be laid on the Table very shortly.

THE TAUNTON ACCIDENT.

MR. CUNINGHAME GRAHAM (Lanark, N.W.): I beg to ask the President of the Board of Trade whether it is intended to take steps to prosecute the Railway Company for the deaths and injuries caused at Taunton by the signals being left in charge of an aged and incapacitated man?

*SIR M. HICKS BEACH: I understand that the Coroner's Return giving the verdict of the jury in the case referred to has not yet been received by the Home Office, but no facts have been brought to my notice which would lead me to adopt the description which the hon. Member uses of the man who was in charge of the signals. The Report of the Inspecting Officer on the accident has to-day been laid before me. While I do not think the circumstances at all justify a prosecution, I intend to call the attention of the company to grave infringement of their regulations, which contributed to the accident.

THE CASE OF COLONEL MITCHELL.

MR. CUNINGHAME GRAHAM: I beg to ask the Secretary of State for War if he will lay upon the Table of the House a copy of the Affidavits filed by a Retired Officer of the Royal Engineers in the Court of Queen's Bench, and on which a rule nisi for mandamus *v.* Secretary of State for War was obtained 17th November, 1890; and whether he intends to give effect to official recommendations of the Duke of Cambridge and Attorney General, to make a payment to this Officer, and thus end this protracted litigation?

*THE SECRETARY OF STATE FOR WAR (Mr. E. STANHOPE, Lincolnshire, Horncastle): I am not prepared to lay on the Table any Papers as to which legal proceedings are pending, or to give any information as to recommendations which may have been made to me relative to Colonel Mitchell. When the last action brought by Colonel Mitchell was decided against him, an appeal *ad misericordiam* was made to me not to press for the costs of the War Office. Colonel Mitchell having given an undertaking that the litigation was at an end, I consented to this course, in spite of which he has immediately commenced another action.

THE DEFENCES OF THE FORTH.

Sir DONALD CURRIE: I wish to put a question to the Secretary of State for War of which I have given him private notice. I wish to know whether, in connection with the defences of the Firth of Forth, the Government have made arrangements for the purchase of the Island of Inchkeith, and for the construction of a pier?

***Mr. E. STANHOPE**: Yes; it is our intention to go on with the acquisition of the Island of Inchkeith, and we propose to proceed under the Defences Act for the purpose of obtaining that island. When we have obtained it, I have no doubt that one of the works that will be carried out will be the construction of a pier.

IRISH PRIVATE BILL LEGISLATION.

Mr. MATTHEW KENNY (Tyrone, Mid): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he can state when it is proposed to introduce the Bill dealing with Private Bill Legislation for Ireland?

Mr. A. J. BALFOUR: This must depend upon the progress made in the disposal of the Irish and other legislative business now before the House.

THE CONVICTION OF MR. WALSH.

Mr. T. M. HEALY (Longford, N.): I beg to ask the Attorney General for Ireland why the warrant upon the conviction of Mr. Walsh, of the *Cashel Sentinel* (now in Clonmel Gaol), for publication in his newspaper, has not been issued; and what is the power which enables the Executive to suspend warrants or secure their non-issuance or non-signing after sentence?

The ATTORNEY GENERAL for IRELAND (Mr. Madden, Dublin University): The Inspector General reports as follows:—

> "The warrant referred to will be lodged to take effect at the expiration of Mr. Walsh's imprisonment. This is the usual course in the absence of the warrant providing that the sentence should run concurrently with that under which Mr. Walsh is now in gaol."

Mr. T. M. HEALY: The right hon. Gentleman has not answered the last question, namely—"What is the power which enables the Executive to suspend warrants, or secure their non-issuance or non-signing after sentence?" Is this warrant signed and in vigour, and, if so, why was it not enforced?

Mr. MADDEN: The question as to the Executive does not arise. There was no special intervention of the Executive, but the usual course was followed.

Mr. T. M. HEALY: I want to know by what authority the warrant was held over. Was it by the authority of the police?

Mr. MADDEN: If the hon. and learned Gentleman wishes to know on what date the warrant was actually signed, that is a different question to the one on the Paper, and I will answer it if the hon. and learned Member will put it down.

Mr. T. M. HEALY: I will do so on Monday.

CORONER FOR TIPPERARY.

In reply to Mr. Harrison (Tipperary, Mid),

Mr. A. J. BALFOUR said: I have not had time to make myself acquainted with the facts in connection with the approaching Election of Coroner for Tipperary; but it does not rest with me to make the arrangements. I believe that it rests with the Sheriff.

DEATH OF MR. JUSTICE LITTON.

Mr. LEA (Londonderry, S.): May I ask whether there is any truth in the report that Mr. Justice Litton, Chief of the Land Commission, is dead?

Mr. A. J. BALFOUR: I deeply regret to say that the report is true.

MOTIONS.

BUSINESS OF THE HOUSE.

*(3.50.) **The FIRST LORD of the TREASURY** (Mr. W. H. Smith, Strand, Westminster): In rising to move—

"That, until Christmas, Government Business have priority over all Orders of the Day and Notices of Motion, and the provisions of Standing Order No. 11 be suspended,"

said: Mr. Deputy Speaker, I hope I may again press upon the House the grounds upon which I urge the Motion of which I have given notice, and I trust and believe that it will meet with the universal acceptance of the House. I believe it will also be for the convenience of the House itself. In addition to that, I may refer to the practice which has prevailed during the last ten years when there has been an Autumn Session. I find on reference that on no occasion on which the House has sat at this period of the year has it been customary for private Members to retain the undiminished exercise of those privileges to which they attach, and rightly attach, great value, notwithstanding the fact that they have frequently been unable to keep a House when their Bills have been brought on. It is a singular fact that I am not making any innovation on the practice of the House for the last ten years. In 1882 there was an Autumn Sitting, which was simply an adjournment of a previous Session, and in that year the Government of the day took possession of the whole time of the House until the questions submitted to it had been disposed of. In the year 1884 the House assembled for an Autumn Session, and the Government carried a Motion that the Bills which were put down for the consideration of the House on that occasion should take precedence of all other Notices of Motion and Orders of the Day on every day on which they were set down on the Paper. Again, in 1888, a similar practice prevailed. I am therefore fortified by the practice of the House, a practice which I believe is justified by its convenience, and we may by these means dispose of the business which has called us together at this inconvenient period of the year as rapidly as possible, consistently with due consideration of the important questions which will be submitted to the House. We hold that these questions are as important as any in regard to which the same privileges have been accorded and the same demand has been made on former occasions. We hold that the consideration of the very grave question of land purchase in Ireland is one which deserves the most serious and undivided attention on the part of the House, and one the consideration of which ought not to be postponed for an indefinite period. There is also another consideration which I wish to impress on the House, and it is that if we are able—as I hope we shall be able—to make considerable progress with these measures on this occasion, we shall diminish the necessity for demanding from the House facilities which have been previously necessary. I base my recommendation to the House on the ground of greater convenience, and on the ground of the necessity which exists for facilities in order that the House may be able to deal properly and with full consideration with the grave questions before it. I trust I have said enough to recommend this Motion to the consideration of the House, and that it will find support on both sides of the House.

(3.55.) MR. LABOUCHERE (Northampton): May I ask whether it is proposed to take the Second Reading of the Tithe Bill or that of the Land Purchase Bill first?

*MR. W. H. SMITH: I have already stated that the Tithe Bill will be read a second time on Monday and the Land Bill on Tuesday. I think the hon. Member will see that it would be hardly possible to take the Second Reading of the Land Purchase Bill on Monday, considering the importance of it.

Motion made, and Question proposed,

"That, until Christmas, Government Business have priority over all Orders of the Day and Notices of Motion, and the provisions of Standing Order No. 11 be suspended."—(*Mr. W. H. Smith.*)

(3.56.) MR. LABOUCHERE: I see with pleasure that the right hon. Gentleman has, notwithstanding previous disappointments, come back among us as sanguine as ever. But really I do believe that if the right hon. Gentleman were to continue the leader of the House for a sufficient number of years he would do his very best to absolutely suppress the rights of private Members. The right hon. Gentleman has said that the course he has proposed is usual, but for my part I assert that it is entirely unprecedented. If a Session—it may be an Autumn

Session—is called for a specific purpose and is a separate Session, I can understand the Government taking the whole of the time of the House, but this is the beginning of the ordinary and normal Session, and it is fully understood that the only object of commencing so early on this occasion is that the House may be able to rise at an earlier period than usual next year. The right hon. Gentleman now comes down when the Autumn Session has commenced, and he at once asks that the Government shall take the whole time of the House. It is true that this course has been taken before with regard to a particular Bill, or one of the stages of an important Bill, which it was desirable to pass, but the right hon. Gentleman has not presented his Motion on any such grounds. He does not ask for the time of the House in order that we may pass this or that Bill, but he asks for the whole time of the House up to Christmas for the general business of the Government. I maintain that I am justified, therefore, in saying that the course proposed is unprecedented. It is difficult to satisfy the right hon. Gentleman. Seeing how quickly the Address has been disposed of this Session compared with former occasions, I think the right hon. Gentleman, instead of making a piteous appeal to us for the time of private Members, should have shown his gratitude for the attitude which has already been taken by the House this Session. We took compassion upon the right hon. Gentleman. [*Laughter from the Ministerial Benches.*] It seems that we can never satisfy hon. Gentlemen opposite. If we discuss the Address at any length they complain, and if we pass it after a Debate of an hour and a half they jeer at us. We have been asked repeatedly to give sufficient rope to the right hon. Gentleman, and as we have now done so we should expect that he would get up and say, "It is true that at the commencement of the Session we intended to take up the whole time of the House, but having regard to the fact that the debate on the Address only lasted for a few hours, I will not now move the Motion." We have heard a good deal about the great distress in the West of Ireland, and if the right hon. Gentleman had asked for the time of the House in order to pass a Bill to relieve that great distress, and had shown due cause for such relief, undoubtedly Radical Members would not have opposed the measure. The right hon. Gentleman, however, wants all the time of the House in order to pass a Tithe Bill and a Land Purchase Bill before Christmas. Well, I just now asked the right hon. Gentleman which he was going to take first, because I did not believe he was going to take the Tithe Bill at once before the Irish Land Bill, considering how much we have heard about the necessities and requirements of Ireland. Why does he take the Tithe Bill? The House will remember what occurred last Session. Perpetually when the right hon. Gentleman was explaining the course of business, the distinguished son of a distinguished Peer who is Prime Minister used to come down and say, "Well, but what about the Tithe Bill?" It would seem that this Tithe Bill is a special favourite of the Prime Minister's. The Prime Minister is a Churchman first and a statesman afterwards. The Prime Minister wants the Tithe Bill, and he has imposed his will on those unfortunate gentlemen who are bound to obey it, and insists that hon. Members are to be called away from their "happy homes" in order to pass this Bill, as if there were any reason for hot haste in giving further facilities to the clergy to obtain their tithes. Right hon. and hon. Gentlemen opposite may be the humble servants of the Prime Minister, but we are not. Incidentally, I may tell the right hon. Gentleman the leader of the House that never did he indulge a more sanguine anticipation than the notion that this Bill will be passed in one day. Why, the Welsh Members alone are pretty fair stayers in debate, and these gentlemen themselves are strong enough, without any interference by English Members, to devote, as they certainly ought, three days at least to explaining their views with regard to the Bill. As to the Land Purchase Bill, I look upon it as one of the grossest frauds ever perpetrated on the taxpayers. I regard it as a most unjust and improper thing that that Bill, after the assurances given by gentlemen opposite at the last election, should be passed in the present Parliament, and so far as I am concerned, and others will act with me, I will not give facilities of any sort or kind for passing that Bill. The right hon. Gentleman says he hopes that the passing of this Resolution will render it unnecessary for him to ask for the time of private Members later on. I have no doubt he thinks that, and means what he says; but last Session the right hon. Gentleman assured the House that the Estimates should be brought on and discussed at an early period. The right hon. Gentleman found it impossible consistently with his duty to his God, his Queen, and his country, to fulfil that pledge, and he will find it equally impossible to fulfil the pledge he has given now, that by taking the time of the House at the beginning it will be unnecessary to make demands upon the privileges of private Members later in the Session. If the right hon. Gentleman brings on Vote on Account after Vote on Account we shall be bound, after what occurred last Session, to discuss every item for which the money is granted, whether the discussion takes six weeks or twelve months. Last Session I declined to discuss the Estimates. They were brought on at the end of the Session, or within a few days of the end of the Session, and passed without any sort of discussion, because I and others on this side of the House would not take part in the farce of discussing the Estimates in a day or two after most of the Members had left town. The right hon. Gentleman last Session took nearly the whole of the time of the House, and he muddled the time away. He brought forward three different Bills that knocked against each other in such a way that one Member of the Government obstructed another, the result being that nothing was done. This Session the right hon. Gentleman has begun by muddling, precisely as he did last Session. Parliament was called together on Tuesday; the last three days have been simply wasted, and to-day the time of the House is to be taken away from private Members, not even to discuss the important Tithe Bill or the important Land Bill, but a Tenancies Rating Bill and a Pollen Fisheries Bill—what a "pollen" is—whether a fish or a river or a method of fishing—I confess I do not know. Why is it that the right hon. Gentleman adopts this system of taking away the time of private Members? I have always thought the right hon. Gentleman an exceedingly astute Member of the House. ["Hear, hear."] Yes, you agree with me because you know he always manages to take hold of the time of the House and prevent private Members bringing on Resolutions. Why does he do that? Because he knows that Resolutions might be brought forward from this side of the House on which it would be exceedingly difficult for Liberal Unionists to vote. They would find themselves in a difficulty between their duty to the Government and their pledges to their constituents. I believe, Sir, that our time is taken away, not for the benefit of the Government, but for the benefit of the Liberal Unionists. I shall go to a Division against the proposal of the right hon. Gentleman. I will make two suggestions to the right hon. Gentleman. The first is, that he will be kind enough not to treat Members of the House of Commons as schoolboys. The right hon. Gentleman gets up and says, "If you don't do this and that I shall shorten your holidays." The only reason why some Members on the Opposition side ask about holidays sometimes is for the sake of the right hon. Gentleman himself. We observe that he often looks a little fagged from his work, and we have thought a holiday would set him up; but as far as Radical Members are concerned, they are ready to sacrifice every holiday rather than sacrifice one inch of their principles. [*Laughter.*] Hon. Members opposite laugh. They do not understand making sacrifices for principle. I, however, am explaining our creed, not that of hon. Gentlemen opposite, and I can understand their ridiculing the idea of anyone being such fools as to do such a thing. The other suggestion I would offer to the right hon. Gentleman is that he should not waste time by addressing homilies to hon. Members on what they are doing. We are here to oppose Bills which we consider injurious. If our action met with the approval of the right hon. Gentleman, we should not have the approval either of our constituents or of our own consciences. However much we value the approval of the right hon. Gentleman, we cannot sacrifice the approval of our consciences for anything of the sort. If, then, the right hon. Gentleman is so anxious not to waste the time of the House let him avoid casting his pearls before —— [*Laughter.*] Yes, that is what hon. Gentlemen on the other side think of hon. Members who sit upon this side. I shall certainly go to a Division, and I hope many gentlemen sitting around me will register an immediate protest against this system, so favoured by the right hon. Gentleman, of taking the time of the House at the very beginning of the Session.

(4.14.) COLONEL NOLAN (Galway, N.): I would ask the First Lord of the Treasury to make an exception in the Motion in favour of the Seed Potatoes (Ireland) Bill.

*MR. W. H. SMITH: I can assure the hon. and gallant Member that I will fulfil the obligation I have come under to him.

*MR. J. LOWTHER (Kent, Thanet): I do not like to give an absolutely silent vote on this subject, having regard to the fact that for many years past I have been one of those who have always entered a protest against the appropriation by the Government of time to the exclusion of the privileges of private Members, or rather the opportunities of non-official Members of the House. It is impossible for any one who has been any considerable time in the House not to observe that the feeling among Members of the House at large towards what are called private Members has been very materially modified. There was a time when Members of position on both sides who were agreed upon no other subject, made common cause whenever, in their judgment, the privileges of non-official Members were menaced. I have constantly taken part in such movements in order to guard against the union of the two Front Benches in numerous acts of appropriation of the time of the House. Now, the position which private Members occupy in the general estimation of the House has considerably changed of late. No one can mix with his brother Members without hearing very disparaging remarks in regard to the way in which the time of the House is utilised. We frequently hear private Members spoken of as pretentious windbags and faddists seeking to obtain their own ends at the public expense. I am not saying how far these remarks may in any instances be justified, but the net result is that the means which private Members now have of exercising any influence whatever on the affairs of the House has been reduced almost to a nullity. I think the House before it agrees to this Motion ought to carefully consider the position which it occupies with regard to the time at its command. If this were a Motion made at the ordinary time of the commencement of the Session in February, I would say that it would be the duty of the House resolutely to decline, and insist on the right every individual Member has to discharge his public duty to his country and his constituents. But with regard to this specific Motion, we have met at an unusual time, and not for the discussion of ordinary business, but specific business known beforehand. I think that the right hon. Member for Mid Lothian (Mr. Gladstone) and other Members with a longer experience of Parliament than I have myself—though my own is, I regret to say, not inconsiderable—will bear me out when I say that it always has been the practice under the pressure of exceptional circumstances to modify the Standing Orders of the House, and to afford to the Government all the facilities the House has at its command. That has been notably the case towards the end of the Session—not only in the last decade, when changes have been made which I certainly regard as bad precedents—but in former years; but then the practice was to insist upon knowing to what purpose the time was to be given up. As I understand my right hon. Friend, he does not ask for the time of the House to go into any general scheme of legislation, but to bring before the House certain specific proposals, and those proposals alone. The hon. Member for Northampton referred to the fact that the early meeting of Parliament has been connected with an earlier relinquishment of our labours. I must also remind the hon. Member that the work now down for our consideration is essentially work which was to have been done last autumn. Therefore, understanding, as I do, that the Government have pledged themselves only to avail themselves of this concession for specific purposes, and that they do not ask non-official Members to abdicate their rights in the ordinary period of the Session, I for one shall not oppose the Motion.

MR. LABOUCHERE: Will the right hon. Gentleman guarantee that the Government will not ask for the time of private Members in the ordinary period of the Session?

*MR. J. LOWTHER: The word of my right hon. Friend is good enough for me, and I venture to say likewise for the hon. Gentleman and for the House at large. Upon this understanding, namely, that in the ordinary period of the Session private Members will not be asked to abdicate their rights, I for one shall be prepared to support the Motion of my right hon. Friend.

*(4.25.) SIR JULIAN GOLDSMID (St. Pancras, S.): I hold that we have arrived at a period when the time of Parliament ought to be altogether re-arranged. At present the time usually allotted to the Government is totally insufficient. I do not think this remark applies to this Government only, but it applies equally to any Government whatever. Therefore I say that there must be a re-arrangement, so that the Government may have more time at their disposal. I would suggest that the time has arrived when we ought to give up Tuesday altogether as a private Members' night. It is a night which is generally appropriated to mere abstract resolutions which do not result in legislation. Our Sittings on Wednesday are in a different position. They have been productive of a considerable number of useful measures introduced in the shape of Bills by private Members. I would therefore suggest that Wednesday should be preserved as a private Members' day; but seeing that there are more counts-out on Tuesday than upon any other day, I think that the Government should have that day as well as Mondays and Thursdays. If this course were taken, I believe that it would not be necessary in future to propose such Motions as that now before the House.

(4.27.) MR. W. E. GLADSTONE (Edinburgh, Mid Lothian): My hon. Friend who has just sat down stated that he thinks that the Government have now more to do than they had at other times, and that there ought to be an entire re-arrangement of Parliamentary time with a view to a different distribution between the Government and non-official Members, as they have been well called by the right hon. Gentleman opposite. That may be so or it may not be so. I offer no opinion on the subject, but in the earliest year that I can recollect four Bills of vast importance were passed by the Government, and I have known certainly within the last five years no approach to Parliamentary labour of that kind. There was a coercion Bill for Ireland of great labour and difficulty in that year—1833. It was followed by a Church Temporalities Bill, reconstituting a most complicated subject, and then came a vast measure, the West India Emancipation Bill, and after that the re-adjustment of the Bank Charter, and also, I think, an Indian Bank Charter; and that was all done under the present arrangement of Government time. But that is not the question before us. We have apparently a limited limitation, but with respect to the limitation I wish to have a clearer understanding than we have yet arrived at. The right hon. Gentleman opposite (Mr. J. Lowther) made a declaration at the close of his speech that he considered the Government pledged by this Motion not to ask after Christmas for the time of non-official Members. I observed no sign whatever of assent on the part of the First Lord of the Treasury to show that he considered it to be a pledge on the part of the Government, and undoubtedly we are entitled to some much clearer indication of the intentions of the Government as to what is to take place after Christmas than what we have yet obtained. For my part, I feel no disposition to go to issue with the Government upon the question of limited extent, and I believe such would be the general feeling of the House; but what I have observed is that a small demand is after a week or ten days followed by a greater demand; that again is followed by a demand larger still, and the upshot is that the time of non-official Members is almost entirely absorbed. We want, therefore, to know what are the general intentions of the Government with respect to the time of non-official Members, because I must point out that with regard to the specific purpose of his Motion it is impossible to have a weaker position than that of the right hon. Gentleman. In the first place, his Motion does not correspond with his notice. His notice was totally different from the Motion. His notice was that the time of the House should be at the disposal of the Government for the Irish Land Purchase Bill, the Tithe Bill, and Bills connected with Irish distress, but his Motion is that the time of the House should be given to the Government up to Christmas for all Government business whatever. They are in total contradiction to one another, and I would observe that no notice whatever is better than a misleading and erroneous one. But the right hon. Gentleman has quoted precedents. There is no precedent whatever touching such a Motion as this. He has precedents to show that on particular occasions after the commencement of the Session—for what may be done at the end of the Session has nothing whatever to do with it—demands have been made on the House for certain important measures. But now this is not a demand for this or that important measure, but a demand for Government business generally. What is worst of all is that his Motion is in direct contradiction of his own notice. The right hon. Gentleman spoke three days ago in absolute contradiction to the terms of the Motion which he now makes. I ventured in the course of the Debate on the Address to pass a eulogy, as I sometimes do, on the the wisdom of our ancestors, and the right hon. Gentleman responded to me, not only with assent and sympathy, but with fervour. He was all for the wisdom of our ancestors, but he asked, "What was our condition?" The enormous demands for the discussion of this, that, or the other subject drive the Government to such a point that we have no option except to make these requests to the House. The right hon. Gentleman added—

> "But let the House give us some indication of a disposition to assist the passage of Government measures, and we shall not then have occasion to make these requests."

What is the first effect of that declaration of the right hon. Gentleman? We waived the Debate on the Address, and in the place of its occupying a succession of nights got through it in five or six hours. And then, again, if that was not enough to put the right hon. Gentleman out of court he produced the Tithe Bill without any explanation from the Minister in charge of it, and, although it is a contested measure, the stage was passed without debate. Certainly, nobody can complain of the debate on the Irish Land Purchase Bill. Indeed, it seems to me that in his laudable anxiety to avoid trespassing upon the time of the House, the right hon. Gentleman the Chief Secretary was too short in his exposition of it. *Brevis esse laboro, obscurus fio.* The right hon. Gentleman left me in utter doubt and bewilderment as to some of its most important points. Undoubtedly the statement of the right hon. Gentleman on Tuesday was an intimation that a disposition on the part of the House to despatch business would dispense with the necessity for making these demands. Still, the present demand is a limited one, and I do not wish to quarrel with the Government about trifles. The right hon. Gentleman is, above all things, a temperate man in his language, but in conjunction with this gentle and temperate language there is a character about his measures—I use the word in no offensive sense—of a certain truculence. I must say that I have so much respect for the speech which the right hon. Gentleman made on Tuesday night that I should feel that I was insulting him with respect to that speech if I were to support his Motion as it stands without some further declaration, and I look for, from him, in his reply, a frank acceptance of the demands made by the right hon. Gentleman the Member for the Isle of Thanet Division for the satisfaction of non-official Members that they are not, after Christmas, to be deprived of their fair share of the time of the House.

*(4.35.) MR. W. H. SMITH: I can only reply to the right hon. Gentleman by the indulgence of the House, which I hope will not be refused me. The right hon. Gentleman takes exception to the form of my Motion by saying that it differs materially from the notice given on Tuesday night. I have always been under the impression that when a Minister of the Crown makes an engagement with the House, it is one which the House will adopt, and I hope the House will accept my assurance that it is not our intention to go beyond the engagement I made with the House on Tuesday. We ask for the time of the House in order that we may proceed with the

stages indicated of the Tithe Bill and the Land Purchase Bill which are now before the House, and to carry further, as we think it will be necessary for us to do, measures relating to the distress in Ireland, and if any other measures are to be included, it will only be such measures of urgency as may arise without our knowledge at this moment. It is not necessary for me to alter the terms of the Motion in order to express precisely the engagement I have now entered into. As to the speech of my right hon. Friend the Member for the Isle of Thanet, I said the other day that I hoped it would not be necessary to ask for further indulgence of the House if the House showed its appreciation of the necessity for proceeding rapidly to business. I fully acknowledge that the House has up to now proceeded rapidly with public business, but I am sure that the right hon. Gentleman's experience of public business will show him that I should not be justified, acting on the experience of three days, in entering into a rash engagement not to ask on the part of the Government for further facilities after the month of December. I repeat that if the House will, with "the wisdom of our ancestors," consider these measures of the Government with reasonable criticism and with a due regard to the time of private Members, not less than the time of the House itself, I shall be more glad than anyone if I am able to refrain from asking for further facilities for the transaction of public business than those which the Rules of the House already give us. We have a strong desire that every non-official Member of the House should have every facility for bringing forward the questions which they deem to be important; but I feel that it would be rash to make the limitation which the right hon. Gentleman opposite desires. I shall be most glad to afford ample time for the Motions of non-official Members, but that is a matter rather for the House itself than for the Government. All I hope is that hon. Members, copying the wisdom of our ancestors, will return to the practice of the past.

(4.42.) Mr. WADDY (Lincolnshire, Brigg): The objection which I feel compelled to make to this Motion goes a great deal deeper and further than the objections which have been made already. I desire to enter my protest against any and every measure that would tend to keep in Office a Government who, I believe, are utterly unfitted for the duties which they have to perform, and who will be swept from power at the next General Election. [*Laughter from the Ministerial Benches.*] We hear a good deal of that kind of laughter at present from the other side of the House; but it is only laughter that is intended to keep their courage up. If there is any doubt as to the truth of what I say, it could be easily solved if they would only have the courage to try a General Election. Believing, as I do, and convinced as I am, and, as I believe, that Members opposite are in their innermost selves, that if we had a General Election they would undoubtedly cease to abuse any longer the power they obtained under a misapprehension some years ago, I shall oppose any measure that is intended to keep them in places for which I deem them to be unfit. With regard to the suggestion that the Government ought to appropriate more of the time of the House, it should be remembered what has been the history of all great legislative changes. First of all the country has been awakened, and then a principle has been embodied in a Resolution by a private Member, and on the Resolution being carried the Government has prepared a Bill. One stage of that which has been up to this time the invariable progress of reform, is now entirely taken away by the course being adopted by the Government; it is being taken away by those who have been, as we believe, the opponents of all reform, and it is being taken away in a manner which is very effective, but which is extremely unconstitutional Last Session when they got any measure into such a condition that they found they were going to be beaten, instead of standing by those principles they had maintained to be right, they ran away; they held on to their offices because they knew perfectly well that in the country they would be beaten. They now want to take all the time of the House in order to prevent us moving any Resolutions which may be inconvenient for them to deal with. If we had the principle established of one man one vote, I should like to know what would become of the Dissentient Liberals or Liberal Unionists, or whatever they call themselves. It is because the Government know that if we had the opportunity of moving Resolutions of that kind, they and their friends would necessarily be put in such a position of difficulty, and of absolute impossibility of official life, that they now propose to take the whole time of the House. I mean to oppose throughout the whole of this Session every measure which has the tendency to which I have referred, every measure which prevents us getting to the country, every measure which enables the Government any longer to hold seats which we know they would not hold if the country had the power of speech. In conclusion, I desire to point out that the pledge for which they were asked by our leader has been positively refused by the Government.

(4.48.) MR. ILLINGWORTH (Bradford, W.): The right hon. Gentleman the leader of the House has, by the favour of the House, made a second speech, and I hope the right hon. Gentleman the Member for the Isle of Thanet (Mr. J. Lowther) is satisfied with the declarations of his right hon. Friend. I am always disposed to trust the right hon. Gentleman when he makes a statement in his private capacity, but, unfortunately, in his official capacity he is so affected with the responsibilities of office, that he continually runs back in the promises he gives to the House. What is our position? Why are we meeting here at this inclement time of the year? Nothing has been said by the First Lord of the Treasury or by any of the Members of the Government to show that there is anything special for which we have been called here. In reality, we are met together to pick up the broken threads of the last Session of Parliament. Why should we private Members be punished for the mismanagement of business by the Government during the last Session of Parliament? If the Tithe Bill was an urgent Bill last Session, if the Irish Land Purchase Bill was a Bill of most pressing necessity, why was a great part of the time of the House occupied with that ridiculous piece of business, the putting on the Records of the House the results of the Parnell Commission? But the Government started another horse, Compensation for the Brewers. That was the *pièce de résistance* with which we were favoured last Session. In fact, the business, which in the Speech from the Throne the Government declared pressing, was thrown aside, and new and unexpected measures introduced. The House is called together at this very inopportune time to try and make up for the great mismanagement of the business of the House by Her Majesty's Government. We have not even the poor consolation that by meeting for a month in 1890 the privileges of non-official Members are to be preserved to them in 1891. The right hon. Gentleman the Member for the Isle of Thanet is a great stickler for constitutional principles and methods; but he cannot deny that there have been more inroads into, and more breaking down of the old securities with regard to the constitutional practice of this House under the present Government than under any Radical Government. There have been rumours that the difficulties and labours of the leader of the House were making some inroad on his health, and that it might be necessary for him to retire. I hope that time is far distant. We have a great regard for the private character and private virtues of the right hon. Gentleman, but as leader of the House of Commons he appears to be so singularly afflicted by a sense of responsibility as to think himself justified in upsetting all the old methods by which business has been carried on. Should it be deemed right that the right hon. Gentleman should be translated to another place, I know no title that would better befit him than Lord Topsy-Turvy.

(4.53.) DR. TANNER (Cork Co., Mid): I shall oppose the Motion of the right hon. Gentleman, and for the following reason, if there were no other. There are two Irish Bills before the House—the Railways Bill, which is proposed in connection with the relief of distress in Ireland, which has been stated by the Chief Secretary to be very urgent, and the Land Bill. The Railways Bill is to be taken second. If the distress is to be relieved, why not place the Railways Bill first? The Government are acting in a false manner. If they really want time, why did they not assemble earlier—a fortnight or three weeks earlier? The Government delayed the meeting of Parliament in order to allow gentlemen opposite to enjoy their hunting—please God the country will hunt them before long! Because he has allowed the gentlemen opposite the opportunity their wealth affords them, the right hon. Gentleman now asks for the whole time of the House. The right hon. Gentleman wishes by his Motion to remedy the lamentable and discreditable mistake which a discredited Government has made in connection with this Session of Parliament. I must remonstrate with the right hon. Gentleman. I am always sorry to see him placed in a false position. I always sympathise with him when I hear him appeal to the House and the country, but I do think he should have endeavoured to bring about a reformation in the Cabinet, so as to prevent evils attendant upon want of discretion. In the conduct of Irish business the Government have broken their promise, and, for my own part, I shall have much pleasure in voting against this proposition.

*(4.57.) SIR J. **SWINBURNE** (Staffordshire, Lichfield): When we know that distress exists in Ireland, and that thousands of people are being turned out of their homes wholesale to starve, we are asked to give up the time of the House, not for the discussion of Irish matters, but, forsooth, for the consideration of a Tithe Bill which we know will be debated by the Welsh Members in a most discursive manner. This Bill is a Parliamentary bribe given to the Church of England for supporting the present Government, and in the hope of future favours at the next General Election. [*Cries of* "Divide!"] It is all very well for hon. Gentlemen opposite to cry "Divide," but I should have liked some of them to have seen what I have witnessed in Ireland during the last few days. I have seen hundreds of women and children turned out from their homes on to the roadside to starve. And yet we are asked not to attempt to give relief to these people at once, but to pass a Bill which no one wants but the Prime Minister—a Bill of a most contentious character, which I, for one, being a tithe-owner, and also a tithe-payer, consider a most dishonest Bill. I do not think anything more indecent could be proposed even by the present Government. I hope that hon. Members on this side of the House will not allow this Debate to end without the matter being thoroughly discussed, so that the Government may learn once more that it does not expedite business by making proposals of this description.

(5.0.) The House divided:—Ayes 223; Noes 173.—(Div. List, No. 2.)

RIGHTS OF WAY (SCOTLAND) BILL.

On Motion of Mr. Buchanan, Bill to confer on County Councils in Scotland the power of maintaining and protecting Rights of Way, and otherwise to amend the Law relating to Rights of Way in Scotland, ordered to be brought in by Mr. Buchanan, Mr. Bryce, Mr. Arthur Elliot, Mr. Asher, Mr. Donald Crawford, Mr. Esslemont, Mr. Shiress Will, and Mr. Birrell.

Bill presented, and read first time. [Bill 127.]

POLICE FORCES (IRELAND) BILL.

On Motion of Dr. Commins, Bill for the better regulation of the Police Forces in Ireland, ordered to be brought in by Dr. Commins, Mr. Maurice Healy, Mr. Hayden, Mr. Kilbride, Mr. Roche, Mr. Crilly, Mr. Harrison, and Mr. Sheehy.

Bill presented, and read first time. [Bill 128.]

CHARITABLE TRUSTS BILL.

On Motion of Mr. Rathbone, Bill to amend the Law relating to Charitable Trusts, ordered to be brought in by Mr. Rathbone, Sir John Kennaway, Mr. Thomas Ellis, Mr. Cozens-Hardy, Mr. Richard Power, Mr. Howorth, and Mr. Bryce.

Bill presented, and read first time. [Bill 129.]

CHURCH BUILDING ACTS (COMPULSORY POWERS REPEAL) BILL.

On Motion of Mr. Powell, Bill to repeal the provisions of the Church Building Acts relating to the compulsory purchase of sites for Churches and Burial Grounds, ordered to be brought in by Mr. Powell, Mr. Talbot, Mr. Tomlinson, and Mr. Addison.

Bill presented, and read first time. [Bill 130.]

CORN SALES BILL.

On Motion of Mr. Jasper More, Bill for making the Sale of Grain by weight compulsory, ordered to be brought in by Mr. Jasper More, Mr. Rankin, Sir Joseph Bailey, Mr. Biddulph, Colonel Cornwallis West, Mr. Mark Stewart, Colonel Waring, Mr. Channing, and Mr. Mahony.

Bill presented, and read first time. [Bill 131.]

LAND TENURE (IRELAND) BILL.

On Motion of Mr. Mahony, Bill to amend the Law relating to the Tenure of Land in Ireland, ordered to be brought in by Mr. Mahony, Mr. M'Cartan, Mr. John Redmond, Mr. T. M. Healy, Mr. John O'Connor, and Mr. Pinkerton.

Bill presented, and read first time. [Bill 132.]

ORDERS OF THE DAY.

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Deputy Speaker do now leave the Chair."

PERPETUAL PENSIONS.

*(5.19.) MR. BRADLAUGH (Northampton): I am afraid it is rather an old story with which I have to trouble the House, but I have the satisfaction of knowing that I need not trouble it at any great length, for all I propose to do to-night is simply to ask it to support the position taken up by its own Committee, which sat in 1887. The decision of that Committee was not the decision of a majority, it was the unanimous decision of a Committee having upon it an overwhelming majority of Conservative and Unionist Members. There were eight Members of the Conservative Party, headed by the Attorney General; there were two Liberal Unionists, and five Liberals, as well as two Members of the Irish Party. That portion of the Report upon which I to-night ask the House to express an opinion is a portion on which the Committee was unanimous, and I would suggest that unless the Government have very grave reasons for so doing they should be exceedingly careful about asking the House to depart from that decision. The Report recommends that all offices with salaries, without duties or with merely nominal duties, should be abolished; that existing perpetual and hereditary pensions and allowances should be determined and commuted; that in all cases the method of commutation ought to involve a real, substantial saving to the nation, and that the rate of commutation usually adopted — namely, 27 years' purchase—is too high. It is the last words I have just read that the Committee affirmed without the slightest disagreement, without any Division, under the sanction of the hon. and learned Gentleman the Attorney General for England and with the concurrences of Members sitting in all quarters of the House, and I now ask this House to re-affirm them. I beg to move—

> "That this House disapproves of so much of the Treasury Minute relating to perpetual pensions, hereditary payments, and allowances as proposes to commute some of such pensions, payments, and allowances at the rate of practically 27 years' purchase."

In a Treasury Minute laid upon the Table on July 19th, 1888, the First Lord of the Treasury and the Chancellor of the Exchequer intimated that in their opinion the terms on which the Treasury had commuted already involved a saving to the nation, and ought to be adhered to. I am far from denying that any commutation, however extravagant—does involve some saving to the nation; but the Committee, having examined the matter with great care, resolved unanimously that it was not a sufficient saving. I challenged the Government on the matter in 1889, and, before the Motion was brought on, the Secretary to the Treasury laid on the Table a Minute in which he showed that the saving would, by the proposition of the Treasury, be larger than had hitherto been made, because the Government would be able to borrow at $2\frac{3}{4}$ interest at 99 to the 100. But that Minute was not complete. I do not know why the Secretary to the Treasury omitted from the list certain pensions, but I need not now trouble the House upon that point, as I dealt with it fully on a previous occasion. I propose, however, to cite the case of the Pendrel pensions amounting to £450, as a specimen of the omission——

THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.): The Minute is as described by the hon. Member a statement of pensions, allowances, and payments charged on the Exchequer, but the payments, allowances, and pensions to which the hon. Gentleman refers are not so charged, and therefore could not be included in the list.

*MR. BRADLAUGH: I am sorry to disagree with the Secretary to the Treasury who, with the greater information at his command, is so much more exact than I can hope to be; but if the right hon. Gentleman will look at the Paper handed in by Sir Reginald Welby he will find that, while in point of form he is perfectly exact in what he states, in point of fact these payments form as much a charge upon the nation as any of the other pensions. It is perfectly true that in the original grants many of these pensions were charged in particular ways, such, for instance, as on the Post

Office, but they are ultimately chargeable upon the nation. The Pendrel pensions are obtained by stopping the income of property which would otherwise be paid into the Exchequer, and I want to make it plain that there are pensions now payable which do not appear in the list laid on the Table by the Secretary to the Treasury. It is clear it will not do to be governed in our estimate of the saving by the supposition that the sum necessary for the commutation can be borrowed by the Government in 2¾ Consolidated Stock at 99 per cent. Indeed, at the present moment it is perfectly clear that the Government cannot borrow at 2¾ getting 99 per cent. It is wiser not to take figures yielding the highest economy which might be effected, but to take ordinary rates. In 1889 the Chancellor of the Exchequer made a very fair promise, which has been fairly carried out, that in future the Treasury, in accordance with the recommendations of the Committee, would apply different methods of commutation, and the result would be laid on the Table, so that the House might have an opportunity of expressing an opinion before the commutation was carried out. On July 15 last year a Treasury Minute was laid upon the Table with regard to five pensions. As to three of these pensions, I shall have to make very few remarks. The decision of the House will turn on the two closing pensions in this Memorandum. The first is the pension to the Duke of St. Alban's. I will not say very much about that, because it has been much more efficiently dealt with on several occasions in this House by the hon. Member for Stockport, who will do me the honour of seconding this Amendment, and also by the hon. Member for Preston. But one most extraordinary thing is this:—As appears by the Report of the Committee that the sum of £965—a perpetual payment to the Duke of St. Alban's—is made up in this way:—A sum as salary for the Master of the Hawks, a sum for falconers, a sum for hawks, and a sum to provide for pigeons, hens, and other meats for the hawks. It was stated frankly by Sir Reginald Welby that falconers, hawks, and pigeons kept by the Duke there were none. What I have principally to point out is that with regard to the pensions to the Duke of Hamilton and the Marquess of Downshire this distinction is made, namely, that the keeper and the porter in the case of the Duke of Hamilton, and the warders in the case of the Marquess of Downshire, who have been and are actually employed at the present moment, and are in receipt of their salaries; the Treasury say, very properly I think, that these things ought to cease with their lives. But in the case of the falconers' salaries, which are not paid to persons employed as falconers, and of the hawks which do not exist, and of the food for them which is never furnished, these things are to be commuted as perpetual pensions. The word "dishonesty" is one that I should not like to use in this House, but it would appear that there is in the minds of the Treasury an idea that some sort of consideration is to be shown in the case of the falconers' salaries, which are not paid, which is not to be shown in the case of the warders, keepers, and porters who did actually exist in the other case. I hold that this proposal is downright monstrous. I have mentioned these matters in the hope that even at the eleventh hour the Treasury may be induced to take some other view than that which they have hitherto adopted. I do not propose to occupy the time of the House one moment longer on this point, but I would refer any hon. Member who desires any further information on the subject to the examination of Sir Reginald Welby, in which he will see all the facts duly stated. I now come to the real appeal which I desire to make to the House on the subject of the perpetual pensions which are bestowed upon Lord Exmouth and Lord Rodney. I regard these as test cases which ought not only to govern the decision of the House to-night in regard to these two cases, but which should undoubtedly govern the decision of the Treasury as to all other pensions coming within the same category. This would mean about £31,000 a year not commuted and still commutable. It is not desirable that I should trouble the House in regard to any other pensions of this class than these two, and I shall, therefore, confine myself to the cases of Lord Exmouth and Lord Rodney. I do not say that the Treasury have selected what are actually the strongest cases on which to argue this question, although no doubt they have taken two of the strongest cases. The original grantees of the pensions in each case had the grants conferred upon them for life and not in perpetuity; the fact being that they were afterwards made perpetual by the Parliament of the time, and I have now no right to impeach the action that was consequently taken. There were doubtless public services rendered by the ancestors of these persons—naval services which figure in the pages of our history, and which I should be wanting in decorum to attempt to minimise. But I would point out to the House that Lord Rodney and his successors have received no less a sum than £214,000 as the result of those pensions, while Lord Exmouth and his successors have received a total of £152,000. I affirm, therefore, that, however eminent their services may have been, they have been sufficiently recognised and rewarded by the State. The position I now take on this subject is that, keeping my promise and putting the matter on the broadest possible form, I have to point out that the whole subject was carefully examined and inquired into by the Committee, and the Committee unanimously held that not only was the spirit of the present time against this system of perpetual grants, but that all these perpetual pensions should be abolished and got rid of. They held that to commute them on the basis of 26·995 or, putting it roughly, 27 years would be an extravagant waste of public money, and I think that at least some concession might have been made by the Treasury to the opinion of the Committee thus expressed. The right hon. Gentleman the Member for the Brightside Division of Sheffield (Mr. Mundella) represented the Front Bench of the Opposition on that Committee. The Attorney General was there to represent the Government in this matter, and I may state that there was not a difference of opinion, and that even on the part of the Liberal Unionists there was no protest; they were all with us. Indeed, there was not one word of difference; it was a point upon which there was perfect agreement on the part of every Member of the Committee, and I think that, under these circumstances, it is too much for the Treasury to attempt to set the opinion of that Committee on one side. The conclusion they arrived at was not the result of any party or snatch Division; it was the result of mature consideration and reflection. There was no disposition on their part to take the ground which I personally should have been inclined to take, namely, that these people have been over-rewarded and that there ought to be nothing more done for them. On the contrary, a disposition was evinced that there should be fair and reasonable commutation; but it was said, that while there were declarations of misery and distress in the country, and while the House was appealed to on one side and the other to take steps in some way to alleviate this distress, it was an absolute farce to open the purse-string of the nation and allow money to continue to be poured out under a system which every one is agreed ought never to have been originated, and ought not now to continue. I think I should be acting with more wisdom in not detaining the House any further. I trust that this will not be considered a matter on which there is any need of party lines being taken; the Members of the Committee who sat with me through 12 months of the investigation will remember that I did not try in any way to provoke party or any individual hostility in regard to the cases into which I had to examine. I may add that in the evidence taken, in regard to which there was an immense amount of labour, we were greatly assisted by Sir Reginald Welby. There are some of the pensions which cannot now come under the cognizance of the House. I refer to two cases, one of which might well result in the early reversion of lands, which I believe will be of great value to the country; while in the other, though the reversion is more problematical, the lands are still of some considerable value. I say that the Government ought not to have administered to the Committee the slap in the face they have given by the manner in which they have treated its recommendations. To say that the conclusions arrived at by that Committee amount to nothing is a little too much, seeing that their own Attorney General was a member of that body. If this had been a Radical Committee, or a Committee with a Radical majority who had thrust their conclusions down the throats of the minority, I could understand the Government disregarding their views; but as that is not the case, I ask the Government not to make this matter a Party question. I am not at all inclined to cast any censure on Her Majesty's Government, because they are only doing what other Governments on both sides have done, and, therefore, criticism on one Government would be criticism on the other; but, at the same time, I would point out that this perpetual pension system is condemned by the country, and I do therefore ask the House to act in accord with its own Committee, and to endorse the recommendations they have arrived at on the subject.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "this House disapproves of so much of the Treasury Minute relating to Perpetual Pensions, Hereditary Payments, and Allowances as proposes to commute some of such Pensions, Payments, and Allowances at the rate of practically 27 years' purchase,"—(*Mr. Bradlaugh*,)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

*(5.38.) MR. JENNINGS (Stockport): I rise, Sir, for the purpose of seconding the Resolution moved by the hon. Gentleman the Member for Northampton, and I do so on the ground that the Resolution does nothing more than seek to carry out the recommendations of the Committee, who were entirely unanimous in making those recommendations to the House. As a member of that Committee, I may say that we searched carefully into every case, and inquired into every circumstance connected with it. Sir Reginald Welby afforded us a great deal of information regarding these circumstances. Having all the facts before them, the Committee recommended the House to terminate these perpetual pensions, and also to take into consideration the circumstances under which the several pensions were originally granted in arriving at a decision on the question of commutation. As far as the Report of the Committee is concerned, their recommendations have been entirely set aside by the Treasury Minute which has been laid upon the Table of the House.

Had the circumstances under which the pensions were originally granted been taken into account, the House would hardly now be advised to commute the pension of the Master of the Hawks on the basis of 19½ or 20 years' purchase. Some of those perpetual pensions were more or less scandalous in their origin and nature, and I cannot but regard them as being a disgrace to the country. They were, for the most part, granted at a time when the public funds were regarded in the light of their own private property by persons occupying distinguished positions, and under this assumption they were distributed among the friends and acquaintances of those individuals in whatever manner they deemed proper. The worst of these cases is, no doubt, that of the Master of the Hawks. The hon. Member opposite has gone carefully into that case, and in so doing has abstained from using anything like strong language, but, for my own part, I do not hesitate to say that that pension has been received for many years under circumstances which amount to nothing less than a fraud upon the country. The money was originally given for certain specific purposes, and it was to be divided among certain individuals, distinctly designated in the Warrant. Those persons have, however, long since disappeared, if, indeed, they ever had any existence at all, and the money which was intended to be applied to a distinct purpose has found its way into pockets it was never intended to reach. The whole system has been one of fraud and wrong from first to last. I think that if the House were to commute this pension on the basis of only ten years' purchase it would be far too liberal an arrangement. If you were to take the opinion of the taxpayers of the country, I think you would find that they would not be disposed to give even ten weeks' purchase. They would say the pension has gone on too long already. With regard, however, to the Treasury, I admit that there is a legal claim upon them for the payment of the money, but I think they might have made a much better bargain for the country than they have proposed in suggesting a commutation on the basis of 19½ years' purchase. If the Treasury had intimated to the recipient of the pension that there existed a strong feeling on the part of the Committee against it, and a strong feeling also on the part of the House against it, it is very probable that much easier terms would have been obtained than those the country is now asked to accept. I think the House should remember that most of those pensions have been conferred in cases where no services whatever have been rendered, while in other cases the services that have been rendered have been of a highly scandalous and disgraceful character. We all know that Charles II. was a man who took things very easily, but I should say that that Monarch never imagined, even in his wildest dreams, that the British taxpayer would, in the year 1890, still be paying £965 a year to a descendant of Nell Gwynne's. For my own part, I do not hesitate to say that were it within my power I would stop the pension at once and pay no commutation at all. The country has been robbed enough, and the robbery should now cease. Had the House been aware that this subject was to arise to-night, it might not have been too much to ask Members to look at the brief Report of the Committee who set forth the facts. I venture to ask the House to consider, whatever may be the case made out by the Treasury on behalf of these pensions to-night, that the Attorney General sat on the Committee, and I believe also the Secretary to the Treasury.

MR. JACKSON: No.

*MR. JENNINGS: Well, the Attorney General as representing the Government. All the objections which we shall hear to-night have been raised since the Attorney General agreed to the recommendations of the Committee. I venture to think that it is a little late in the day to put aside the facts and reasons which guided the Committee, whose decision, considering the whole of the facts, is worthy the support of the House. In these days nobody sympathises with paying away the tax-payers' money merely because it is handed to the descendant of some King who never rendered any service to the country that I ever heard of. If the House supports the recommendation of the Committee, it will offer encouragement to Members to give their time to Committees, because they will have the knowledge that they will not make Reports merely to be thrown overboard by the Treasury. I hope the House will not hesitate to assent to the Resolution.

*(5.50.) THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): Mr. Deputy Speaker, the hon. Member who has just sat down has said that it would be poor encouragement to Members to serve on Committees, if the proceedings of these Committees had no influence upon the Executive Government; but I can assure him, and I can assure the House, that the proceedings of the Committee had a considerable effect, and the very Minute now before the House shows that is the case. Various suggestions were made, one that all existing pensions should in time be brought to an end. We are endeavouring to bring about that result, but I will prove to the House how difficult it is to combine that recommendation with the subsequent recommendation, that the usual basis of 27 years' purchase is too high. The only way of getting rid of these pensions, unless our terms are voluntarily accepted by the pensioners, would be to bring in an Act of Parliament to compel the holders of pensions to accept arbitrary terms. As Chancellor of the Exchequer, while it is my duty to promote as far as possible the interests of the Exchequer, I have also to act as guardian of the public faith. The Committee did not go the length of saying that if we could not induce persons to commute at 27 years their pensions ought to be compulsorily commuted. Now I wish to ask Members whether, in cases where a grant of land has been made, it is to remain in the hands of the descendants of the original grantee, and not to be resumed, while a money grant may at any moment be the subject of discussion in Parliament.

*MR. BRADLAUGH: Hear, hear. Lands have been resumed by Parliament, and this repeatedly.

*MR. GOSCHEN: I should be glad to learn that such a case has occurred within what I may call modern practice. I do not know whether the hon. Member goes so far, having succeeded with regard to perpetual pensions, as to make an attack on some of the lands which have been granted under circumstances perhaps no more creditable than those under which money pensions have been granted. But the hon. Gentleman suggests that we have not done sufficient as regards the recommendations of the Committee. We have looked into special cases, and as a result of the Report of the Committee we have made better terms in some of them than in any of the cases which have gone before. Previously all commutations took place at 27 years' purchase, and looking into special cases we have commuted on different and far more advantageous terms. I advised with the Law Officers of the Crown as to whether these grants and allowances were legally binding, and we were informed that they were legally binding. We have endeavoured, at the same time, to bring about that which the Committee desired and represented, namely, the abolition of perpetual pensions. We have accordingly negotiated with some of the recipients of those pensions, and we have commuted on far better terms than has ever been done before. With regard to the Keeper of the Hawks, my hon. Friend spoke as if the whole of the pension was due to the keeping of the hawks, but a portion of it was a perpetual pension standing on the same footing as other pensions. In all these cases we have endeavoured to make the best terms we could. My hon. Friend suggests that we ought to have informed the recipients of the public feeling with regard to them. I think they have had ample opportunity of reading the speeches of my hon. Friend and of the hon. Member for Northampton, and they know the feeling of the House of Commons. It is, no doubt, in consequence of their knowing that feeling that they have consented to the terms which we now propose. Hon. Members are aware that we have no power to stop these perpetual pensions, unless by Act of Parliament. But that is not the recommendation of the Committee. The Committee never faced that. They have not said that Parliament should say, "We will break faith." They have stopped short at that. We have endeavoured to negotiate in such a manner as to lighten the burdens which these pensions throw on the people, and do something which is recommended by the Committee. The Committee recommend that in all these cases we ought to ensure a real and substantial saving to the nation. I can tell the Committee what has been done in the two special cases referred to in the Resolution of the hon. Member. If we were to take the Consols value of each of their pensions of £2,000 a year, their value would be £75,000; their value at which we have commuted them is £54,000—a saving of £21,000 between the legal value and that which we have given, or 28 per cent. of the legal value. That may fairly be said to be a substantial saving to the nation. The hon. Member says that all these matters were known to the Committee, but some of the circumstances were not known to the Committee. I do not think it was brought before the Committee that negotiations were going on with regard to these two cases. I do not insist on that to any great extent, but it will, at all events, account to the hon. Member why these two cases are now brought forward.

*Mr. BRADLAUGH: Sir Reginald Welby stated that he hoped I would not press for the names, as the negotiations were going on, and they had been suspended in consequence of the appointment of the Committee.

*Mr. GOSCHEN: If the names had been pressed for, the matter might have been discussed by the Committee. I wish the hon. Gentleman had pressed for the names, because in the eyes of the Committee and in the eyes of the public a strong case has been prejudiced by a weak case. The recommendation simply states in general terms that the rate of 27 years is too high. It takes no account of good cases or bad cases. Now the hon. Member takes two of the strongest cases for fair consideration, those of Lord Exmouth and Lord Rodney, and asks the House not to sanction 27 years' purchase. But there is one circumstance which should have weight with Members of the House. Since the Committee sat, the rate of interest on Consols has been reduced, so that 27 years' purchase now represents considerably less cost to the nation than it did when the Committee sat. Therefore, the substantial saving to the nation will be greater now than it was before. The right hon. Gentleman (Mr. A. J. Mundella) knows that the price of Consols regulates the commutation, and those who commute their pensions now will receive less than they would have done at the time the Committee sat. This 27 years' arrangement is more beneficial to the public and less beneficial to the holders of pensions than it was at the time the Committee sat. So that there is the less reason to declare that the rate of commutation was condemned by the Committee. I am sure the hon. Member for Northampton would not have attacked these two pensions unless he had thought they would govern all the other pensions. We do not admit that these two pensions would govern the whole of the rest.

*MR. BRADLAUGH: I suggested that £214,000 in one case, and £156,000 in the other, already received, constituted sufficient reward.

*MR. GOSCHEN: That is a different point. The hon. Member objects to 27 years, because he thinks that if we adopt that proposal we shall set up a standard for the remainder of the pensions. We do not hold that that would be the case. We accept the view of the Committee that each case should be inquired into on its merits. Formerly all these cases were dealt with alike, but now the Government are inquiring into every case, and the Minute now before the House shows that out of five cases mentioned in it, in two only is 27 years' purchase proposed, while in the other three cases 19, 22, and 25 years' purchase are proposed. The hon. Member for Northampton asks us to disapprove of the commutation of Lord Exmouth's and Lord Rodney's pensions at 27 years. If the pensions are not commuted on these terms, to which the holders agree, what is to be done? Are we to bring in a Bill as regards these two pensions, and say to the holders that, although the faith of the nation has been pledged by Act of Parliament to the descendants of those two gallant officers, we will now arbitrarily fix the number of years' purchase at which their pensions shall be commuted? I must say that while I shall be always prepared to commute all pensions on terms as favourable as possible to the nation, I am not prepared to bring in a Bill to terminate a particular pension in an arbitrary manner. Without wishing to set up a standard to be followed in other cases, I would ask the House not to come to any determination that will stop the commutation of these two pensions — a commutation which, as now agreed upon, will be extremely beneficial to the nation —nor to make it necessary to bring in a Bill which will set aside the public faith. We have largely acted on the advice of the Committee, and we shall endeavour in all future instances to study the circumstances of each particular case, but, at the same time, to have regard to the fact that these pensions are legally binding on us, and certainly I shall not be the Chancellor of the Exchequer to bring in a Bill to terminate an arrangement made with the consent of Parliament.

(6.5.) SIR W. HARCOURT (Derby): I confess I have not been able to follow the argument of the Chancellor of the Exchequer that 27 years is not to be a standard by which the Treasury will be governed. No man who has listened to his speech can fail to see that if the holder of a pension refuses to take less than the 27 years' purchase, he is entitled to have it, and the Treasury must give it him. The Chancellor of the Exchequer's speech has made 27 years the standard. The right hon. Gentleman has said that the Treasury are bound to give 27 years if the holder will not take less. Why, then, having so admirable an advocate as the Chancellor of the Exchequer to say that he is entitled legally to 27 years, should a holder take less?

*MR. GOSCHEN: They have taken less.

Sir W. HARCOURT: Yes, but that was perhaps before they had heard so admirable an argument as that of the Chancellor of the Exchequer. A more conclusive argument why the holders should insist on 27 years it is impossible to conceive, because it amounts to this: "If you will only hold out for 27 years I must give it you, and I beg you will do so." That is not what they call wisdom in the City, and I am quite sure that in other matters the Chancellor of the Exchequer would not deal with a money transaction on that footing. It is quite true that transactions in regard to these pensions in past times cannot be defended, and that the principle of commutation in past times cannot be justified. It is greatly due to the exertions of the hon. Member for Northampton that the matter has attracted much public attention. The Government consulted the opinion of a powerful Committee—which is a sort of microcosm of Members of this House, and which is representative of the taxpayer—as to what should be done in this matter. Having received the Report of that Committee, the Executive Government fly in its face. I say that is not a legitimate way of dealing with the question. I cannot understand the course the Government have taken. I should have thought that what they most would have desired would have been to be relieved of responsibility in so difficult a matter as this. The Committee took the responsibility on themselves. They told the Government they ought not to take 27 years as the figure, and yet the Treasury fly in the face of that opinion, and propose to give, in certain cases at least, terms not in accordance with the recommendation of the Committee. That seems to me a very independent course. I think the pension of the Master of the Hawks is a most indefensible pension. I was astonished at the argument of the Chancellor of the Exchequer on the point. He said he split that pension up into two. One part he regarded as standing on a personal footing, and the other as being in the nature of allowances. For the allowances he gave 11 years' purchase.

*Mr. GOSCHEN: We were advised—and the former Law Officers were of the same opinion—that these allowances, though they shock the right hon. Gentleman, were legally binding on us, and we now propose to get rid of an obligation legally binding on us perpetually at 11 years' purchase.

Sir W. HARCOURT: Oh, I quite understand that. But the Chancellor of the Exchequer was shocked to the extent of 11 years' purchase. He was so shocked that, instead of giving 27 years' purchase, he gave 11 years'. I do not see why allowances of this kind should be taken into consideration at all. I have the greatest respect for the opinion of the Law Officers, but I think the taxpayers are perfectly competent to form an opinion. If a pension has been given to a man for rendering services which he does not render, that is a point on which the public can make up their minds. The right hon. Gentleman was very much shocked at the notion of bringing in a Bill, but has he never heard of commutation of freehold offices on a fair basis? Transactions of that kind, I believe, have not been unfrequent. The Chancellor of the Exchequer should have gone to the recipients of the pensions, and said, "A representative Committee of the House of Commons has laid down a certain scale, beyond which we cannot go; and if you are not content with that scale, we will take the opinion of the House of Commons in the form of a Bill." That would have been a perfectly legitimate position to take up. Why did you appoint a Committee when you did not act on their opinion?

*Mr. GOSCHEN: We did act upon it largely.

Sir W. HARCOURT: You acted upon it largely! You ought to have acted upon it altogether. Having asked the deliberate opinion of a Committee of the House upon the question, you ought to have told the pensioners that you would act upon their Report, and, if they refused to accept it, that you would ask Parliament for authority to enforce it. That would have been a reasonable and fair method of dealing with this question. I, for one, should heartily support the Motion.

(6.15.) THE ATTORNEY GENERAL (Sir R. WEBSTER, Isle of Wight): I should not have intervened in this Debate but for two causes. In the first place, very prominent reference has been made to me in the matter by the hon. Member for Northampton (Mr. Bradlaugh), and, in the second place, we have heard a very extraordinary speech from the right hon. Gentleman the Member for Derby (Sir W. Harcourt). The Motion before the House has reference to a certain Treasury Minute. Two only of the pensions therein proposed to be commuted are complained of—Lord Rodney's and Lord Exmouth's—and I think the right hon. Gentleman the Member for Derby would have been better advised had he consulted the terms of the Minute and made himself acquainted with the facts of the case before he attacked my right hon. Friend. The Motion is directed only to that portion of the Minute which relates to the two pensions proposed to be commuted at about 27 years' purchase. A great deal has been said about my own position. I am free to admit that, had I known what I now know with regard to the actual facts respecting the two pensions complained of, I would have opposed more strenuously than I did the proposal of the hon. Member for Northampton. In a moment I will point out that the speech of the right hon. Gentleman the Member for Derby did not do justice to the position in this respect of the Treasury authorities, whom he has described as flying in the face of the Report. It was originally proposed that the Report should state that the rate of commutation usually given—namely, about 27 years—was "far too high." It was pointed out by myself and others that we had not before us the particular circumstances in which the various commutations had taken place, but only the gross figures, although I did not shrink from saying that in many cases 27 years was too high a rate. The words of the paragraph were therefore altered from "the rate has been far too high" to the words "the rate is too high." For reasons which I think were fair, no special case was gone into, and the two cases now attacked were not gone into before the Committee.

*MR. BRADLAUGH: The hon. and learned Gentleman must pardon me. We had the exact facts before us. The only thing the hon. and learned Gentleman objected to was the specifying in the Report the particular cases, but the full particulars were given in the Appendix.

*SIR R. WEBSTER: The hon. Member is really interrupting not at all with reference to the point on which I am speaking. What I say is that the circumstances under which anything had taken place with regard to the commutation of these pensions was not before the Committee. The pensions of Lord Rodney and Lord Exmouth were before the Committee in this sense only, that they were known to be for services, and, what is much more important, they were ratified by Parliament in 1782 and 1814, so that the House has by Act of Parliament recognised them as being payable for ever at the rate of about £2,000 a year. I am not ashamed to say that if I had thought that the paragraph about the rate of commutation was going to be used in this House as an argument for saying that the rate of commutation of these two pensions was too high, I certainly should not have assented to the proposition. It was because I was aware there were differences of circumstances that I assented to the words. It may be I ought not to have assented to them, but I thought they did represent the meaning I now attribute to them, namely, that it was a high rate, unless there were special circumstances. But there is another point which I now know, and which, I regret, has not been gone into more fully—namely, that in 1885, before that Committee had sat, Lord Rodney had practically agreed to a commutation upon these terms at the instance of the Treasury Authorities, and the same was the case with regard to Lord Exmouth. Therefore, their claims would not have only rested upon statutory authority, but by reason of negotiations with the Treasury Authorities there was in equity, if not in law, a bargain that the commutation should be carried out on those terms. I think, therefore, that it is not just to say with regard to these two pensions that the Treasury are flying in the face of the Report. With regard to other matters, in my opinion, the right hon. Gentleman the Member for Derby has, I am sure unintentionally, been unjust to the Chancellor of the Exchequer. It is not correct to say that the Treasury has not regarded the Report or its recommendations. The matter came before me in order that I might see how far it could legally be carried out, and, so far from the Report being disregarded, every case has been examined specially in order to ascertain its legal position. There is another matter which was not before the Committee, but which should be mentioned here. In not a few cases the claimants—the persons now receiving the pensions—were purchasers for value of the original pension; that is to say, they had invested money on the faith of sometimes a State and sometimes a Parliamentary bargain. I do not believe that anyone would wish to save his money as a taxpayer by breaking a contract made on the faith of the nation. With regard to this Treasury Minute, I appeal to the common sense of those present. I go so far as to say that in the case of Lord Rodney and Lord Exmouth, if the country is going to keep faith, if this House is going to keep faith, a less figure could not with propriety be adopted. It is wholly unjust to generalise from these two cases. I maintain that the Treasury has carried out the recommendations of the Committee, that they have done all they could consistently with the good faith of the nation, and I for one decline to be a party to anything amounting to a breach of faith in this matter. The right hon. Gentleman the Member for Derby has suggested that an Act of Parliament might have been brought in. For my own part, I can only say that any idea of compulsion was never presented to or discussed by the Committee at all. What was discussed was that there was power to commute these pensions, and that under ordinary circumstances the rate established would be regarded as being more than ought to be paid. But I say if there was to be compulsion, if a Bill was to be brought in, then in order to form a right judgment each particular case should be decided on its merits. With regard to the obligation of paying these pensions, it does not depend upon the opinion of particular Law Officers. It is a matter which, the right hon. Gentleman the Member for Mid Lothian well remembers, has been considered for years gone by by successions of Law Officers, and it has only been when the legal authority of a pension has been proved to be established, that the Treasury has found it necessary to commute at a high rate. I do respectfully protest against the suggestion that the Government have flown in the face of the Report. On the contrary, they have, as far as possible, consistently with the faith of the country, given effect to every paragraph of it.

*(6.27.) MR. MUNDELLA (Sheffield, Brightside): As I was Chairman of the Committee, I must take exception to some of the statements just made by the Attorney General. The hon. and learned Gentleman says that the question of compulsion as applied to the determination of perpetual pensions was never considered by the Committee. Does he mean to say the Committee left it entirely to the option of the Master of the Hawks whether his pension should be commuted or not? What was in the mind of the Committee was that the Government should act upon the Committee's recommendation, and that recommendation was

> "That all existing perpetual pensions, allowances, and payments, and all hereditary offices should be determined and abolished,"

not at the will of the recipients, but at the will of this House. The Committee felt that if an Act of Parliament were required to determine and abolish perpetual pensions, the Government should bring in the Bill, such a scandal did most of the pensions present. There were only five Members from the Opposition side of the House to ten Conservatives on the Committee, and I think it is to the credit of hon. Gentlemen opposite that the feeling against the continuance of the present system is quite as strong on their part as on the part of the Liberal Members. With respect to the pension of the Master of the Hawks, if the argument of the Attorney General is to be maintained, and the Chancellor of the Exchequer is right, we have no right to determine the pension without the voluntary consent of the Master of the Hawks. It is thought that at 11 years' purchase the commutation is very moderate. What are the facts? Within living memory a certain sum was to be paid annually for hawks, for meat, and for service. All these things have been taken as part of the income of the Master of the Hawks. No hawks, meat, or service have been provided, and yet the Attorney General takes credit for a commutation at 11 years' purchase.

*MR. GOSCHEN: The right hon. Gentleman and his friends had been paying it for the last 20 years.

MR. MUNDELLA: Yes, but there was no Report of a Committee 20 years ago. The Committee made a Report on the point to the House, and it was understood that the Government would obey the behest of the Committee. If there is any force in the argument of the Chancellor of the Exchequer it would be a breach of public faith to carry out the recommendation of the Committee, but we do not believe there would be a breach of public faith in carrying out that recommendation. We believe the whole system of perpetual pensions, even for good services rendered at remote periods, is in itself a vicious system. When the Chancellor of the Exchequer argues that the reduction of the rate of Consols entitles the owners of these pensions to receive larger rather than smaller sums, surely that is an argument that cannot be maintained, for the right hon. Gentleman must know that some of the persons purchased these pensions years ago when the rates were very different to the rates now, and the argument cuts as much one way as the other. In respect to this particular recommendation the Attorney General says he should have more strenuously opposed it if he had known some things that have since been brought to his knowledge. Now, I have in my hand the original draft of the Report as submitted by the hon. Member for Northampton, and this original draft stated that 27 years was "far too high." The Committee agreed to this draft, the only objection being in a suggestion made by the Attorney General that as the question had not been inquired into before it would seem too severe a censure on the Treasury—a retrospective censure on the Treasury—to use the word "far." "Let us leave out 'far,'" he said, "and say that 27 years is too high." I am bound to say we had all the pensions before us; we knew that some were for meritorious services at a distant date, and some were for scandalous disservices at a distant date; we held the opinion that 27 years was far too high, and I think it was the duty of the Government, had there been no other method of proceeding open to them, to bring in a Bill for the commutation and determination of all perpetual pensions, and to state in that Bill the terms upon which they were prepared to commute pensions. If this intention had been communicated to the recipients of the pensions, I believe there would have been no occasion for a Bill.

*SIR R. WEBSTER: If the right hon. Gentleman will bear with me for a moment—there was a proposal made in the Report that pensions should be compulsorily commuted, and this was struck out—negatived by the Committee.

MR. MUNDELLA: But what does the Attorney General understand by the paragraph in the Report which declares that all existing perpetual pensions, allowances, payments, and hereditary offices should be determined and abolished?

(6.35.) DR. CLARK (Caithness): I regret very much that the hon. Member for Northampton should have introduced his Motion in this form with reference to 27 years' purchase, because, practically, it is only directed to the pensions granted to Lords Exmouth and Rodney, and does not touch the worst cases—the payments to the Duke of St. Alban's, the Duke of Hamilton, and the Marquess of Downshire. Now, on the last occasion when this subject was before us, I wanted to move an Amendment against the worst cases, but unfortunately I was not allowed to do so. I cannot see that the pensioners have much to complain of in the action of the hon. Member for Northampton, and really I think he deserves a testimonial from those who are interested. He has gone for the principle of commutation, and, with all deference, I think if this is fair Parliament ought not to haggle about giving a few years' purchase, more or less. So far as the pensions to Lord Exmouth and Lord Rodney are concerned, their pensions were deserved, and you are going to buy them out by fair treaty. I think these cases will compare very favourably with other cases of pensions commuted by the late Government when our Deputy Speaker (Mr. Courtney) was Secretary to the Treasury. As you have been paying at the rate of 27 years, and if the hon. Member for Northampton considers the proper method of determining these pensions is by commutation, I think you cannot get off with much less unless you introduce some new principle. I have been against commutation. Parliament has determined that some pensions shall be perpetual, and Parliament may determine that some shall cease. I do not think that the unborn have any rights. Those living have certain rights, and probably if you take these rights away you ought to give compensation, but Parliament may determine in the exercise of its power that no child shall be born the inheritor of these special privileges. I, for one, think if we are going to get rid of perpetual pensions, the best method is either to permit the living lineal descendants of great Admirals and Generals who in the past saved the country and assisted to make her what she is to enjoy these pensions during their lives, and to declare that with these lives the pensions shall cease, or to pay a fair price down, which is 27 years' purchase. The first would be a conservative method of putting an end to the pensions; your present method of making them perpetual at the cost of the present generation I object to very much. I do not see why the present generation should pay the whole cost. Technically, we are only discussing that portion of the Minute which affects the commutation at 27 years' purchase, but I fail to see why the hon. Member for Northampton should complain of these two cases. He can complain of the other three cases, but, technically, they do not come under his Motion, because 27 years' purchase is not the offer in those cases. The first and typical case is that of the Duke of St. Alban's. I do not think the hon. Member for Northampton represents the view of the Radical Party in this matter at all any more than on other points he does.

Mr. BRADLAUGH: I am sure I am very glad.

Dr. CLARK: I am sorry that on the last occasion when this question came up and I uttered these sentiments, the hon. Member was not present, and the report did not correctly represent what occurred. So far as over a million is concerned—because there is £600,000 now held by Trustees for the Duke of Richmond, and I think half a million more for the Duke of Richmond—these gentlemen hold these sums because the pensions were granted to heirs male, and, these failing, the amounts will return to the Treasury——

Mr. BRADLAUGH: If the hon. Member will read the Report he will find the exact opposite to what he is saying.

Dr. CLARK: I am talking from the results of several Committees. I am not referring to the late Committee, but to three or four Committees, and the conditions under which pensions were commuted. I may be corrected, but I think that is the case. The payment to the Duke of St. Alban's is on a par with these pensions, and you are commuting the pension which was to be paid to him perpetually as Master of the Hawks. Now, I do not see that any moral crime attaches to a country by reason of the fact that a particular leader has committed a serious social offence, but surely it is much more serious if you put upon generation after generation payment for the fruits of debauchery and adultery. I do not think it shows a high tone of honour in a nation to pay thousands year by year as the fruit of debauchery and adultery. Here is a perpetual pension paid to the Duke of

St. Alban's simply because one of his female ancestors was frail and adultery was committed. For this the country has been put to perpetual expense. Really I think there should be a prosecution of the Lords of the Treasury and the Duke for making and receiving payments under false pretences. The pension was granted for keeping and feeding hawks, but the hawks do not exist, the feeding is not required, and still the Treasury permitted the man to continue to draw the money under false pretences; and now you are doing more —condoning the original offence and granting 19 years' purchase. Why, many a poor man under such circumstances would find himself in Bow Street Police Court. So far as the cases of Lord Exmouth and Lord Rodney are concerned, there is much to be said; but the other three cases are utterly indefensible. You might apply the principle applied in the case of "Adams *v.* Dunseath," and say the advantages having been enjoyed so long should content the recipients; but it seems this, though applied to tenants whose rights are stolen, is not recognised in these cases. I think the Chancellor of the Exchequer is quite right; we have to go beyond the point touched by the Committee; it is time we should abolish pensions that have a disgraceful origin, and we are not upon any principle of justice bound to give compensation where no services have been rendered.

(6.45.) MR. PHILIPPS (Lanark, Mid): The Chancellor of the Exchequer made a point of the Government having made better terms with the pensioners than any Government before them; but surely if the pensioners are on the same footing as other holders of such privileges, they should have equally good terms. Government perpetual annuities are known to be worth considerably over 33 years' purchase; and if the Government have made a bargain for 27 years', it is obvious that the recipients believe there is something very different between the basis of their privileges and that of other annuities. It is well-known that this property is becoming more insecure every day, these pensions are getting worth less, because public opinion is being aroused as to their origin, and nobody has done more to arouse this public opinion than the hon. Member for Northampton. But the Chancellor of the Exchequer puts us in this dilemma: if we are not to commute on the best terms we can get from the pensioners, are we to do nothing, or bring in a Bill to pay a reduced sum? Of course, we should prefer a Bill to pay a very much reduced sum. We cannot expect that, but we may fairly ask the Government to wait. We know what the influence of public opinion has been; let the Chancellor of the Exchequer give more time, and we will develop public opinion a little further. We are all supposed to be guardians of the public purse, not of the privileges of the pensioners. I say if we only wait a short time, and let public opinion declare itself, pensioners will be glad to take a sum very far short of 27 years' purchase.

Question put, "That the words proposed to be left out stand part of the Question."

(6.48.) The House divided:—Ayes 185; Noes 152.—(Div. List, No. 3.)

Original Question again proposed.

POST OFFICE OFFICIALS.

(7.1.) MR. PICKERSGILL (Bethnal Green, S.W.): I desire to take this opportunity of saying a few words on behalf of the dismissed postmen for whom I pleaded a few months ago. The Postmaster General (Mr. Raikes) has been obdurate against all the private representations made to him, and I am therefore compelled to appeal to him in public. The dismissed postmen may be divided into three classes. The first are those dismissed because they refused to discharge their ordinary duties. They refused under mitigating and extenuating circumstances, I think; but, still, they committed a grave breach of discipline, and I do not to-night say anything more about that part of the case. Then there are the men who were dismissed simply for attending the meetings or becoming members of the Postmen's Union. I hold in my hand a printed statement of the reasons for which postmen have been dismissed. In that paper I see over and over again statements of this kind:—"Dismissed for attending a meeting in Hyde Park;" "Dismissed for attending a meeting on Clerkenwell Green," and so on. I desire to call particular attention to the case of one postman of long service to whom a number of questions were addressed by the officials. The first question is as follows:—

> "You are called upon to state what action or part you took in the recent postmen's agitation."

Now, I can hardly conceive anything more inconsistent with fair play than to ask a man a question of that kind. If you have any complaint against your servants surely you should prefer a specific charge against them, and give them the opportunity either of defending or explaining, or, possibly, of apologising for their conduct. Here the official appears to have adopted the plan of putting fishing questions to these comparatively illiterate men in the hope, I suppose, of obtaining from them entangling answers. The second question was to the following effect:—

> "Why did you attend the Fawcett Association meeting, and on that occasion call upon the sorting force to join the Postmen's Union?"

The answer this man gave was, that permission had been granted to the members of the Fawcett Association to hold a meeting of the foreign branch; that such meeting was open for discussion and debate; that being in favour of Unionism, he decided to oppose the amendment that all sorters should join the Postmen's Union; and he drew attention to the recent statements made from time to time by the Postmaster General in the House of Commons admitting that the servants of the Post Office had a right to combine for their mutual benefit, and stating that in no case had any servant been punished for expressions of opinion at officially sanctioned meetings. The Postmaster General has again and again informed us that his only object in requiring the attendance of shorthand writers at postmen's meetings is to inform himself of the grievances of the men, but I point out here the use which has been made of the information conveyed by a shorthand writer. Some statement or argument made by one of the men who attended is made a charge against that man, and it appears to have been part of the case upon which he has been dismissed. The Postmaster General last Session gave an undertaking that he would carefully investigate each individual case. I should like to inform the House what is the proportion between the number of reinstated men and the number of the men originally dismissed. I will take the case of the Western District Office in Vere Street. Fifteen postmen were dismissed from that office for attending meetings or joining the Union, and of these two only have been reinstated. I may add that among the men whose livelihood has been taken away there were many who were teetotalers, and bore an exceptionally high character. It is not possible for the Postmaster General to contend that the severity of his action has been forced upon him by his subordinates at the local post offices. It is not the case that the local postmasters have reported that this severe treatment was necessary as a disciplinary measure, and that unless an example were made they could not be responsible for the discharge of their important functions. On the contrary, I am in a position to say that the local postmasters have from the very first held out to these dismissed men the hope of being reinstated, and I may say with confidence that no one is more surprised than they themselves are at the unparalleled severity of the Postmaster General. Nay, more—even officials at the Central Office have made to the men distinct pledges. On the 31st of July a deputation waited on the Postmaster General for the purpose of laying before him the grievances of the postmen, and urging the reinstatement of all men who had been dismissed. The deputation saw the Postmaster General, and afterwards they were seen by the Controller, Mr. Tombs, who was asked by a man named Cox what was intended to be done in the case of the men dismissed for merely attending meetings. The answer given by Mr. Tombs was that these men would be reinstated. Mr. Cox asked for and obtained from Mr. Tombs permission to repeat that promise to the men. So that if that statement is true—and I have every reason to believe it is—there has been a distinct violation of a pledge given by one of the most highly-placed of the right hon. Gentleman's subordinates. This is a most serious issue. The men for whom I plead have lost, not only their present means of livelihood, but also their prospective pensions, which are merely deferred pay. And that for what? They have lost these advantages simply because they attended meetings, or for becoming members of the Postmen's Union. These public servants are between the horns of a dilemma. The Postmaster General punishes them if they form a Union for their own protection. On the other hand, the Chancellor of the Exchequer punishes them if they appeal for the intervention of this House, for as recently as the occasion of the Lord Mayor's banquet he went rather out of his way to lecture hon. Members who ventured to interfere on their behalf. So that public servants are to be left absolutely defenceless against the heads of Departments or Parliamentary chiefs, who, without autocratic power, are quite as likely to act tyrannically or offensively towards those they employ as private bodies are under similar circumstances. I have thought it right to bring this matter before the attention of the House. I hope I may receive support from both sides; but if I am disappointed, then I can only appeal to a wider tribunal, and I shall be much surprised if the public outside do not resent the drastic and severe treatment meted out to a most deserving and respected body of public officials.

(7.13.) THE POSTMASTER GENERAL (Mr. RAIKES, Cambridge University): I have to thank the hon. Member for the brevity of his speech; but, in doing so, I must point out that, until I came down to the House to-day, I did not know that this subject was to be brought forward, and consequently I am without any particular *data* to enable me to answer the statements which have just been made. I can only, therefore, reply to them in their general aspect, and I think I can satisfy the House that those statements have been put forward to the hon. Member—I will not say by him—in a very exaggerated form, and with a good deal of illustration of a not very accurate kind. The hon. Gentleman says that the men were dismissed for being members of the Postmen's Union, for attending the meetings in Hyde Park and on Clerkenwell Green, and for taking part in the agitation. As I say, I have not the papers at this moment in my hands, but I think I am accurate in stating that no man was dismissed for being a member of the Union. As to the Hyde Park meeting, that matter was discussed fully before the House rose a few months ago. The postmen were warned not to go to it, and it culminated in a disgraceful riot, in which two superior officers of the Post Office were cruelly handled by the mob. The men suspended for attending the meeting had in every case an opportunity of recovering their situations if they would make an apology and give assurances for their good behaviour in the future within a reasonable time. With regard to the Clerkenwell meeting it is possible that those who took a prominent part in that desertion of duty may have suffered for instigating the revolt, but I am not in a position to say that anybody was dismissed for attending that meeting. As to questions being put to the men with reference to the part they took in the agitation, there again I am without material to enable me to give a specific answer, but I would remind the House that the men to whom any such questions were put were already dismissed for deserting their duty, and that if such questions were put it was done with the object of enabling the men to clear themselves as far as possible from the imputation of having been instigators or ringleaders of the revolt, and not in order that they might condemn themselves. If questions were put at all it was for the purpose of eliciting extenuating circumstances on behalf of the men. The hon. Member has also referred to some men having been dismissed for taking part in a meeting of the Fawcett Association. I am very much inclined to doubt whether any man was dismissed for merely attending a meeting of that Association. The hon. Member speaks of my having undertaken to examine into each case. He must be already aware that I have given to each case all the attention which it is possible for me to give. I had all the papers relating to each individual case sent to me for consideration. I read through every letter, and carefully studied the records of character in the case of every man. There were several men who made no appeal for reinstatement, and the cases of those men were allowed to go by default; but in regard to all the other cases I gave the best attention I could to every representation or recommendation that was made to me in their behalf, whether by persons outside or inside the Post Office. As to only two of the 15 men dismissed from the Western District Office having been reinstated, I think that that is extremely probable. I cannot now give the reasons for the action in that particular instance, but I can say that I was most anxious to find extenuating circumstances in every case, and that whenever such circumstances existed, or there was even reasonable ground for supposing the existence of extenuating circumstances, I gave the offender the benefit of them. The hon. Member says that local postmasters did not urge severity, and were astonished at my decision. Well, as to any communication by the local postmasters with the Postmaster General, and the statement that they were astonished at my decision, I fail to see how the hon. Member could become aware of such communications, because they would be strictly confidential, and I am unwilling to believe that any local postmaster would commit such a serious breach of duty as to divulge them.

Mr. PICKERSGILL: I founded my allegation on the statements made again and again by the local postmasters, especially the postmaster in the Eastern District Office.

Mr. RAIKES: I am unaware of any statement having been made by the postmaster of the Eastern District Office to the hon. Member or anyone else. I can only say I am surprised that any Postmaster can have committed such a breach of duty as to have entered such a protest as that the hon. Member speaks of.

Mr. PICKERSGILL: It was not a breach of duty at all.

Mr. RAIKES: I can only say, speaking from recollection, that my belief is that I reinstated far more than I dismissed of the men who were recommended to me for reinstatement by the local postmasters.

Mr. PICKERSGILL: Will the right hon. Gentleman state that the number reinstated in the Eastern District of those recommended for reinstatement by the local postmaster exceeded the number dismissed?

Mr. RAIKES: I am not in a position to make that statement. The hon. Member, by not giving me timely notice of his intention to raise this subject, has precluded me from the possibility of making a specific statement to-night. I am not speaking of one district in particular. It is very possible that in one district the number dismissed may have been greater than the number reinstated, but I am speaking of the whole force. It is quite possible that in some districts I reinstated more men than in others. With reference to the statement of the hon. Member respecting certain communications which are said to have passed between Mr. Tombs, the Controller, and a Mr. Cox—whose name I cannot now recall—it is quite possible that some communication did take place, and that some statement may have been made, and made in good faith, but I am persuaded there is some misapprehension in the matter, for I feel certain that the Controller would never have made any such unqualified statement as the hon. Member has alleged. I apologise for detaining the House, because the whole matter was threshed out on the Estimates in July last, and it has now been brought up again in a very loose manner, and without any particular notice. I have only further to repeat what I said on the previous occasion, namely, to express my sincere regret that I cannot with the full consideration of my public duty go further than I did in reinstating these unfortunate men. I think a great many of them are very much to be pitied, for they no doubt acted under bad guidance, and I sincerely commisserate the position in which they are placed. But my duty is first to the Service over which I have the honour to preside. I am bound to maintain discipline and order in that Service, and I believe that that discipline and order can only be attained and maintained by making examples of those who deserted their duty in the most conspicuous manner in this unfortunate affair. I have only further to say that if the hon. Member wishes I will make inquiry as to the alleged conversation of Mr. Cox with the Controller, this being the only case in which the hon. Member by giving names has enabled me to follow up the statements made.

(7.26.) MR. ISAACSON (Tower Hamlets, Stepney): I should like to ask the right hon. Gentleman why he has paid no attention to the Petition I presented to him from 57 dismissed postmen of the East End of London who had been in the Service for terms ranging from three to thirty years. These men, unfortunately, acting under bad advice, went out on strike for a few hours. These men did not join the Postmen's Union, and they did not attend any meetings in Hyde Park, and yet, because they struck work for two hours only, they were discharged and thrown helpless on the world. As I say, I myself presented a Petition in their behalf to the Postmaster General, and the right hon. Gentleman gave me reason to believe that the men would be reinstated if their characters were found to bear investigation.

MR. RAIKES: I hope the hon. Member will allow me to say that I never made any such statement.

MR. ISAACSON: I will read what the right hon. Gentleman said. He said that—

> "He would inquire into individual cases, and if he found that their characters were satisfactory, he would reinstate them, with all due regard for the Public Service."

MR. RAIKES: Hear, hear.

MR. ISAACSON: Well, the characters of the men were investigated, and were found to be satisfactory; yet when I again wrote to the Postmaster General I received a reply that the right hon. Gentleman declined to interfere in the matter. The promise made to me with regard to those men has not, therefore, been carried out. I believe the men have been very harshly treated, especially when it is considered that the feeling of insubordination at the time in question would never have arisen if a proper system had been adopted at the Post Office to put a stop to the widespread discontent that existed. I do now trust that the Postmaster General will go through these 57 cases again. The men deserve well of the Post Office. They have been diligent in the discharge of their duty—some of them for 30 years, and I think it a great shame that they should be thrown out of work and compelled—knowing no other business than that of postmen—to go skulking about London to earn a shilling where they can. I trust that the right hon. Gentleman the Postmaster General will look into this case, and, if possible, allow further reinstatements to be made. As it is, not a single reinstatement has been made, although the characters of these men will bear the strictest investigation.

(7.30.) MR. J. ROWLANDS (Finsbury, E.): The Postmaster General has stated that this question was thoroughly thrashed out a few months ago, but I trust he will allow me to remind him of the position in which it was left just before the House rose at the end of last Session. The right hon. Gentleman then gave us an assurance that he would investigate the whole of these cases, and we are now in the position of knowing that the result of that investigation has been very unfortunate indeed for the poor postmen who had been discharged. He has said to-night that he was hardly prepared to meet the question thus brought on; but he must recollect that a large number of men who have devoted many years to the Public Service were not only discharged from the Post Office, but, having been discharged, they have thereby suffered great disadvantage in their efforts to obtain other employment. Many of them have come to me, and I have advised them to seek other employment; but they have said that the fact of their having been discharged from the Post Office has told so heavily against them that, had they lost their characters through any really serious dereliction of duty, they could not have been placed in a worse position. Even the Postmaster General must admit that the charge should be a very serious one that would prevent even one out of a total number of 57 men from being reinstated. I am sure the right hon. Gentleman can hardly deny that the action he has taken has been very severe indeed. I have taken the trouble to investigate the statements of many of the men, and as far as I could get evidence in the cases of those who have been in the Service a large number of years, they have discharged their duties well and faithfully in the past, as is proved by the fact that they have earned good conduct stripes, one of these men wearing no less than three of them, which is at least a proof that for a long period of years he has performed his duties thoroughly in the judgment of his superiors. This being the case, I think we have good cause for asking the Postmaster General to re-investigate, at least, some of these cases. I will take only two of the districts. In one of them there were 57 men discharged, of whom not one has been reinstated; and the Postmaster General has admitted the allegation made by the hon. Member for Bethnal Green (Mr. Pickersgill) as to the Eastern District, that out of the 15 men who were dismissed only two have been reinstated. My hon. Friend spoke of a man who attended the first Post Office Association meeting. He did not say the man was discharged for attending that meeting as a member of the Post Office Association, because the man was not qualified to belong to that Association; he merely attended to ask the sorters to form a Union of their own, in which they might be allowed to associate in the same manner as the other servants of the Post Office. I think the right hon. Gentleman the Postmaster General must see that a new departure is wanted in the case of these men—that some very broad and generous line must be laid down, otherwise this question will arise again as soon as opportunity is given for it. I hope the right hon. Gentleman will give the House a clear and definite statement as to the position these men are to occupy—whether they are to be allowed to organise themselves for their own benefit and protection or not. I certainly think that some line with regard to the right of meeting on the part of these men ought to be laid down. I will not press the question further now; but I do say that if, as the right hon. Gentleman admits, many of these men have not been reinstated, their cases ought at least to be re-investigated. The right hon. Gentleman has said that those who have not been reinstated are to be pitied. And I put it to him whether, if they are deserving of his pity, they shall not be re-appointed? They now stand in this position: In many cases they have sacrificed not only the work of a large numbers of years, but their chance of pensions has also gone, their prospects in life being thus entirely ruined. Under these circumstances, I ask the right hon. Gentleman can he not meet these men in a more liberal spirit?

(7.37.) Mr. CONYBEARE (Cornwall, Camborne): As it may be some time before we shall have an opportunity of reopening this matter on the Estimates, I think it desirable to offer some slight criticism on the attitude the right hon. Gentleman has taken on this question. He has spoken to-night in even harsher terms than on former occasions of these men being leaders in the revolt, which clearly shows that, however much he may talk of his most anxious desire to consider all the circumstances and temper justice with mercy and all that sort of thing, he nevertheless entertains the same strong view we have always known him to hold as to the right of the men to form a Union. I will not trouble the House with details, but I must say I think the right hon. Gentleman was not quite exact in speaking of the loose manner in which the hon. Member for Bethnal Green brought this matter forward. The hon. Member made statements backed up by verbatim reports, and those statements, together with others made from other quarters of this House, show that we on this side are even better informed on the question under discussion than the right hon. Gentleman himself. Without going into detail, I would simply ask the House in a broad general way whether the men are or are not to have the right which is accorded to all other working men throughout the country, of combining for their mutual interest and protection where individually they are not strong enough to obtain fair play. On this important question the right hon. Gentleman has deliberately cast down his gage, and declared that nothing shall induce him to respect the Union, or the right of the men to form a Union, but that, on the contrary, he will do everything in his power to smash any Union of those under his control. The right hon. Gentleman took up the same position on previous occasions, and has re-asserted it in rather violent language against the men this evening. That is the present position of this question, and it is a position which I ask the House not to endorse. There are one or two points which I might be allowed to say a word upon before resuming my seat. The right hon. Gentleman defended himself on the point which my hon. Friend the Member for Bethnal Green insisted upon as to the questions put to the men before reinstatement. But I say that those questions were put merely to induce the men to incriminate themselves, and not as the right hon. Gentleman put it, to enable them to clear themselves. The right hon. Gentleman might just as well ask us to believe that it is a principle of law or equity in this country that questions should be put to a prisoner for the purpose of enabling him by his answers to offer extenuating circumstances or to clear himself from guilt.

Mr. RAIKES: After sentence.

Mr. CONYBEARE: I do not quite catch the purport of the right hon. Gentleman's interruption, but it is surely a principle of justice in this country that men should not be led into incriminating themselves by having incriminating questions put to them. If the right hon. Gentleman had been so anxious to do everything in his power to reinstate these men and condone their offences he would not had done anything such as he must have seen the questions he put tended to do to make the men incriminate themselves. Such a system of dealing with—if you like to call them so —refractory servants must rather be to encourage among them the habit of lying in order to shelter themselves from consequences that might otherwise result. I will not combat the assertion of the right hon. Gentleman, but will give him full credit for sincerity when he stated that he had given all the attention possible to these cases. He was taking the waters on the Continent when the cases came on, and I hope he gave every possible consideration to them. Nevertheless, the number of those whom he reinstated was lamentably small compared with the number subjected to punishment. Last Session he asked us to believe that a great proportion of those who went out on strike were intimidated by the ringleaders of the agitation. I said at the time I did not believe there had been any intimidation, and the result of the right hon. Gentleman's investigation now shows what a miserably small amount of intimidation there must have been when so few of the men have been reinstated, because I conceive that those who were reinstated were not all subjected to intimidation, but that he also took into account other extenuating circumstances put forward by the men. The right hon. Gentleman commented severely on the breach of duty committed by certain postmasters who, as the hon. Member for Bethnal Green has stated, told the men they were astonished that so few had been reinstated. I should like to know what possible breach of duty could have been committed by these postmasters who expressed such an opinion in talking the matter over with the men. Had these postmasters come to myself or my friends and complained of what had taken place, and asked us to take it up in this House, there might have been some colour for what the right hon. Gentleman has said; but, as it is, I consider the course taken by the Postmaster General has been inconsistent with the demands of justice. The right hon. Gentleman has complained of the inconvenience of discussing this question on the present occasion, when the notice has been so short. For my part, I feel the inconvenience quite as much as he does. I was not aware of my hon. Friend's intention to bring it forward tonight; but we are discussing it, and the discussion is not wholly irrelevant or premature because the matter was discussed at some length last Session. This being a new Session, we are entitled to bring forward old grievances; if not, I do not see why we should keep the House open at all. I, for for one, shall take every opportunity to protest against the harsh, high-handed, and unjust, if not wholly unconstitutional, acts for which the right hon. Gentleman is responsible.

(7.50.) MR. CREMER (Shoreditch, Haggerston): I have no desire to discuss this matter at any length in an almost empty House, but I wish to join my friends in asking the Postmaster General to extend a little mercy to these poor men. It is in the recollection of hon. Members that when the House prorogued last Session we received what we conceived to be a distinct pledge from the Postmaster General that he would deal as tenderly and mercifully as possible with the postmen who had, unfortunately, rushed into a contest with their superiors. I then took the opportunity of stating that, as far as the small band of Members with whom I usually co-operate in this House was concerned, we were in no way responsible for that unfortunate strike; and that had the men followed the counsels we gave them, that strike would not have taken place. We promised to do the best we could to ventilate their grievances in this House, and, if possible, get justice done to them without their resorting to the foolish step they took. Our counsels were, however, overruled by some evil genius, and we know the unfortunate results which followed. I will not say that the Postmaster General violated his pledges to us—I will be more charitable, and say we misunderstood him; but, at any rate, we hoped he would restore to their places nearly all the men who had been so foolish and had acted so precipitately. I once more appeal to the right hon. Gentleman to exercise a little more clemency in the case of these poor men. Surely when the right hon. Gentleman has triumphed over the men as he has done he can afford in the hour of victory to give a little more consideration to those who are now in a starving condition, and from whom comes up the bitter cry that their wives and families are so in need. I hope before the Estimates come under consideration the right hon. Gentleman will render it unnecessary that we should again raise this question, and that he will not, after these men have suffered months of privation, continue conduct which I cannot but describe as cruel. These men acted foolishly I admit, but I would put it to the right hon. Gentleman whether he would like to face his family suffering from privation, or be deprived of his situation merely because his colleagues considered that he had been insubordinate? The right hon. Gentleman may smile at the suggestion; but if he saw these men and their dependents wanting, as they are, the necessaries of life, I think, rather than smile, he would feel grief, and be moved by it to generous action. In what I have said I have no particular interest or Party purpose to serve; I simply make an appeal in behalf of suffering fellow-men, and bespeak for them considerate treatment even at this the eleventh hour.

Motion, by leave, withdrawn.

POLLEN FISHERIES (IRELAND) BILL.

(No. 91.)

SECOND READING.

Order for Second Reading read.

MR. MACARTNEY (Antrim, S.), in moving the Second Reading of this Bill, said that it had been submitted to a representative body of fishermen, and he thought he might assure the House that they fully approved of them.

Bill read a second time, and committed for Monday next.

MOTION.

MIDWIVES REGISTRATION BILL.

On Motion of Mr. Fell Pease, Bill to provide for the registration of Midwives, ordered to be brought in by Mr. Fell Pease, Sir Frederick FitzWygram, Sir Guyer Hunter, Sir Roper Lethbridge, Dr. Farquharson, Mr. Rathbone, and Mr. Pritchard Morgan.

Bill presented, and read first time. [Bill 133.]

LAND PURCHASE ACTS (IRELAND) (APPLICATIONS).

Return ordered—

"Giving particulars of the cases in which the Land Commission has received applications from purchasers of their holdings under the Land Purchase Acts, 1885 and 1888, for an extension of the time of purchase or an abatement in the amount of instalments due."—(*Mr. John Ellis.*)

House adjourned at Eight o'clock till Monday next.

HOUSE OF COMMONS,

Monday, 1st December, 1890.

MR. SPEAKER'S CONTINUED ABSENCE.

The House being met, the Clerk at the Table informed the House that Mr. Speaker was again unavoidably prevented from taking the Chair of the House this day.

Whereupon Mr. Courtney, the Chairman of Ways and Means, proceeded to the Table; and, after Prayers, took the Chair as Deputy Speaker, pursuant to the Standing Order.

QUESTIONS.

UNEQUAL PUNISHMENTS IN INDIA.

MR. BRADLAUGH (Northampton): I beg to ask the Under Secretary of State for India whether he is aware that one Kamar-ud-din, a Mahomedan resident in Calcutta, struck a servant, ruptured the servant's spleen, and thereby caused his death; that on the trial at Alipur the jury found the prisoner guilty of simple hurt only; and that the Judge inflicted one year's rigorous imprisonment, being the maximum punishment permitted by law; and whether he is also aware that Lance Corporal Rigney, at Delhi, in like manner, ruptured the spleen of a servant, causing death, the excuse alleged for the assault being that the servant was not pulling the punkah quickly enough, and that the Magistrate, Mr. Clifford, fined the accused Rs.25 only; and whether the Secretary of State will direct the Viceroy to make inquiries as to the circumstances under which such unequal punishments were inflicted for apparently identical offences?

THE UNDER SECRETARY OF STATE FOR INDIA (Sir J. GORST, Chatham): Mr. Deputy Speaker, the two cases which form the subject of the hon. Member's question were tried in different Provinces in India, and the differences in the circumstances of the two cases, which appear to be unknown to the hon. Member, might very well account for the differences of punishment awarded. The inadequacy of a sentence may, in India, form ground of appeal. The Secretary of State has no information on the cases, and does not see any reason for instituting an inquiry.

EMPLOYÉS ON THE BURMA STATE RAILWAY.

MR. BRADLAUGH: I beg to ask the Under Secretary of State for India whether he can state how often the *employés* on the Burma State Railway are paid; whether some, and which, classes of railway officials are paid monthly, and whether some, and which, classes of railway servants are paid at much longer periods; whether he is aware that the poorer *employés* complain of the hardship of these postponed payments; whether there is any sufficient reason for not making such payments weekly; and whether the Secretary of State will take any action in the matter?

SIR J. GORST: Mr. Deputy Speaker, the questions of the hon. Member relate to matters of detail in connection with the management of an Indian railway, as to which the Secretary of State has very little information, and the regulation of which is within the proper functions of the Local Government. If any of the *employés* have grounds of complaint their proper course is to make representations to the Local Government. In the improbable event of such representations not receiving due consideration they can appeal to the Government of India and ultimately to the Secretary of State. The Secretary of State can take no action except upon Memorials and information transmitted to him through the Government of India in the regular and proper manner.

MR. BRADLAUGH: I beg to give notice that I shall take such means as the proceedings of this House may afford me during this Session to make a full statement as to the disgraceful character of the condition of these men, especially as I understand that the Secretary of State proposes to make no inquiry into it.

IRELAND—ADVANCES UNDER LAND ACTS.

MR. J. E. ELLIS (Nottingham, Rushcliffe): I beg to ask the Chancellor of the Exchequer what sum of principal and interest, under the Purchase of

Land (Ireland) Acts, 1885 and 1888, fell due for payment on 1st November last, and how much of this remains unpaid; and what arrears now exist of any instalments of principal and interest falling due for payment before 1st November, 1890?

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): My right hon. Friend has asked me to reply to this question. The Land Commissioners report that the sum of principal and interest under the Purchase of Land Acts, 1885 and 1888, which fell due for payment on November 1 last was £109,094. Of this the Commissioners received during the first 27 days of November £79,860, leaving in course of collection £29,234. The instalments of principal and interest which fell due before November 1, 1890, amounted to £409,698. Of this the Commissioners have received £408,276, leaving in course of collection £1,422.

MR. J. E. ELLIS: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland when the Report of the Land Commission for the year ending August, 1890, will be distributed?

MR. A. J. BALFOUR: The Report of the Irish Land Commission for the year ending 21st of August, 1890, is being laid on the Table to-day.

MR. SHAW LEFEVRE (Bradford, Central): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he can state the number of holdings in which the Land Commission have refused to make advances under "The Land Purchase Act, 1885," and the amount of money applied for; and whether he can state in how many cases the ground of refusal was that the terms agreed upon were excessive, in the sense that there was no sufficient security for the advance of money by the State?

MR. A. J. BALFOUR: The Land Commissioners report that up to the 31st of October last the total number of holdings on which the Commissioners refused to make the advances applied for was 3,460, the total amount applied for in such cases being £1,448,364. Advances, however, in 1,087 of these cases were subsequently sanctioned for sums amounting to £433,423, the original sum applied for in such cases being £517,988. Of the 3,460 cases refused, about 2,500 were refused on the ground that there was not sufficient security for the advance applied for.

THE IRISH LAND BILL.

MR. T. W. RUSSELL (Tyrone, S.): I wish to put a question to the Chief Secretary for Ireland, of which I have not given him notice. The right hon. Gentleman has two Land Bills before the House. I desire to know whether the two Bills are to be discussed at the same time, and whether the Second Reading of Bill No. 2 will follow immediately after that of Bill No. 1?

MR. A. J. BALFOUR: I apprehend that that is a matter for the Chair to decide. No doubt the most convenient course would be to discuss the general proposals of the Government at the same time. But each Bill is independent of the other, and can be considered by itself. There are subsidiary matters contained in the second Bill which need not, as a matter of necessity, be discussed in connection with the first measure.

MR. T. W. RUSSELL: Does the right hon. Gentleman propose to take the Second Reading of both Bills before Christmas?

MR. A. J. BALFOUR: That, Sir, is my hope.

SOUTH KENSINGTON MUSEUM.

MR. WHITMORE (Chelsea): I beg to ask the Secretary to the Treasury whether he can now state what is the result of the consideration which he has given to the claims to superannuation of the attendants and messengers at the South Kensington Museum?

THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.): I would refer my hon. Friend to the answer which I gave to a question on this subject on August 22 of last year, in which I stated the decision of the Treasury that these messengers and attendants have no legal claim to the benefits of the Superannuation Acts, but that I would see whether it would be possible to meet in any way what I might describe as a sentimental feeling on the part of the men that they had a claim to some consideration. In fulfilment of the pledge then given the Treasury submitted a proposal to the

Science and Art Department. Some objections have been raised to it which I have carefully considered, and the Treasury is about to make some modifications which I hope will finally settle the matter.

POST OFFICE REGISTERED ADDRESSES.

MR. BOULNOIS (Marylebone, E.): I beg to ask the Postmaster General whether a list of abbreviated addresses registered at the Post Office can be published and sold to the public at a cheap rate?

*THE POSTMASTER GENERAL (Mr. RAIKES, Cambridge University): In reply to my hon. Friend, I have to say that the firms and private persons in London who have registered abbreviated addresses for telegrams have been consulted, and that so many of them have objected altogether to the publication of their addresses that I should not be justified in adopting the suggestion which has more than once been made to me that an official list should be issued.

THE SAVINGS BANK DEPARTMENT.

MR. BRADLAUGH: I beg to ask the Postmaster General whether he is aware that many of the clerks in the Savings Bank Department have, during the past three years, been repeatedly employed for periods of 10 and 11 hours per day; whether he has received any communication on the subject showing that some of the Post Office *employés* work as much as 13 hours per day; and whether it is possible to make arrangements for such additional clerical and other assistance as shall obviate the necessity of working such long hours?

*MR. RAIKES: The extra duty devolving on the clerks in the Savings Bank during the past few years, between the 1st of January and the 30th of April, has been in excess of the amount which is desirable. Some time ago I received a communication to the effect that this duty was excessive, and on the 8th November I caused a communication to be made to the staff, intimating that I would take measures to diminish the strain during the period in question.

ETHER DRINKING IN IRELAND.

DR. CAMERON (Glasgow, College): I beg to ask the Chancellor of the Exchequer whether his attention has been called to the address delivered by Mr. Ernest Hart on ether drinking in Ireland, wherein it appears that large quantities of duty free methylated ether is retailed as a beverage and cheap intoxicant in South Derry and Tyrone, in virtue of the provisions of the Act 18 & 19 Vic. cap. 37; and whether he will take steps to restrict this sale, and thus prevent the serious evils which arise from it?

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): The improper use of ether in certain rural districts of the North of Ireland as an intoxicant and the serious and sometimes fatal results ensuing from this practice have received the careful attention of Her Majesty's Government, who consulted the Royal College of Physicians in Dublin on the matter. In accordance with a recommendation of the college, an Order of the Lord Lieutenant in Council was passed on Saturday last scheduling sulphuric ether as a poison, and it can now be only sold by qualified chemists and as a poison. It is hoped that this measure will effectually stop the supply of ether to the public as an intoxicant.

THE REVENUES OF THE CHURCH OF ENGLAND.

MR. PICTON (Leicester): I beg to ask the Secretary of State for the Home Department whether, in completing the Return on the revenues of the Church of England, the first part of which was issued in September last, it will be possible, in respect to Sections 1 and 2, to re-issue the Return with an additional column setting forth the present total income from all sources of the archiepiscopal and episcopal sees and the cathedral bodies; in respect to Section 3, whether the "gross annual income" there given includes the payments by the Ecclesiastical Commissioners out of their Common Fund; and, if not, can he explain why; whether the revenues of each parish can be given separately, as in the case of the Report for 1835 of the Church Inquiry Commission; and, if not, can he explain why; and whether the totals will be given for each county, and the gross total for all the counties together, and the totals under each source of income?

THE UNDER SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. STUART WORTLEY, Sheffield, Hallam): In answer to the hon. Member, I have to say—first, that it would be misleading to show the total of the income from all sources of the archiepiscopal and episcopal sees, and the cathedral bodies under Part I. and II., as it would involve the inclusion of the incomes derived by certain sees and chapters from the Ecclesiastical Commissioners, whereas that portion of their income is included in the sum of £950,000 referred to in the note at the foot of page 14 as the charge upon the gross revenues of the Ecclesiastical Commissioners, which are fully set out in Part IV. The same objection applies to inclusion in Part III. of the sums paid by the Ecclesiastical Commissioners to benefices by way of grants out of the Common Fund, as these also form a part of the £950,000 above referred to. Secondly, that the publication of the particulars of each individual benefice would involve an expenditure of time and labour and the incurring of cost out of all proportion to the end which would be gained. The Return ordered was limited to the giving of the particulars "in counties as far as practicable," and this has been done. Thirdly, that when the remainder of the Return is presented, if thought desirable it can be printed as a whole, and a summary given.

CHIEF CONSTABLE OF CARDIGANSHIRE.

MR. BOWEN ROWLANDS (Cardiganshire): I beg to ask the Secretary of State for the Home Department with regard to his refusal to sanction the appointment by the Joint Standing Committee of the Cardiganshire County Council of the late Mr. David Evans, of Aberystwith, an officer of long standing and tried experience in the police force, and a man highly respected and of unimpeachable conduct, to the office of chief constable of that county, for the sole reason that Mr. Evans was a sergeant in the same force, whether the freedom of selection by standing committees in making such appointments is to be limited by the refusal of the Home Office to promote officers or sergeants in the same force?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): The Statute requires the appointment to be subject to the approval of the Secretary of State. Each case has to be decided by him on its merits, with a view to discipline and efficiency in the force, and upon consideration of the reports received from the inspector of constabulary as to the qualifications of the particular candidate and the circumstances of the particular case. I followed this course in the case of Mr. Evans. It must be a very exceptional case in which it could be expected that the duties of chief constable in a county police force should be adequately discharged by a person promoted directly to that office from the rank of sergeant in the force.

*MR. B. ROWLANDS: Will the right hon. Gentleman say what the merits of the case were which influenced his decision other than that of promoting a sergeant in the force to the position of chief constable. Did the right hon. Gentleman in his letter to the County Council assign any other reason?

MR. MATTHEWS: In my note to the County Council I stated that Mr. Evans was a person entitled to the greatest respect. I do not wish to say anything now that might be painful to that gentleman's friends. I only assigned one reason, and I thought it a sufficient one.

*MR. B. ROWLANDS: May I ask if there was anything in connexion with Mr. Evans which the right hon. Gentleman did not state?

MR. MATTHEWS: I acted to the best of my judgment, and I decline to make it a personal question.

TOBAGO.

MR. PICTON for Mr. JUSTIN M'CARTHY (Londonderry): I beg on behalf of my hon. Friend to ask the Under Secretary of State for the Colonies, whether the Colonial Office has received the petition of certain dissatisfied litigants from Tobago, complaining of the judicial decisions of the Chief Justice, Sir John Gorrie; can he explain why these complaints, which had already been referred to the Privy Council, were not entertained; and also on what grounds the Secretary of State for the Colonies has intimated to the Governor of Trinidad, for the information of the petitioners, that should they have any precise charges to make against the judicial conduct of Sir John Gorrie, the Governor can deal with them in Executive Council: and, whether the Governor of a Colony is at liberty to try and to decide on the conduct of the Chief Justice acting in his judicial capacity?

THE UNDER SECRETARY OF STATE FOR THE COLONIES (Baron H. de WORMS, Liverpool, East Toxteth): The Secretary of State received several petitions addressed to the Queen in Council complaining of the conduct of the Chief Justice in connection with actions before the Supreme Court in Tobago. These petitions were referred to the President of the Council, who considered that they did not disclose any matter at present appealable to the Judicial Committee in the exercise of its ordinary functions, and the Petitioners were so informed. The Secretary of State also received a petition addressed to himself by inhabitants of Tobago, complaining of the judicial conduct of Sir John Gorrie, and asking for the appointment of a Commission of Judges to inquire into their complaints. The Governor was directed to inform these Petitioners that the Secretary of State could not appoint a Commission of Judges to inquire into the action of the Chief Justice, and that if they had any grievances against Sir John Gorrie, apart from his decisions, which can be brought by way of appeal before a Higher Court, they should represent them to the Governor, stating their complaints in a definite and precise manner so that, if necessary, further inquiry might be made by the Governor and Executive Council. For the reason for giving that answer, and also in reply to the last paragraph of the question, I may refer the hon. Member to a Memorandum drawn up by the Lord President, and approved by the Lords of the Council, which will be found in Parliamentary Paper No. 139, of June, 1870, from which it will be seen that, in the opinion of the Privy Council, charges of misconduct against a Colonial Judge are most conveniently dealt with in the first instance by the Governor and his Executive Council, who may either remove a Judge under the Act 22 Geo. III, c. 75, subject to an appeal to the Privy Council, or suspend him under the general power to suspend Colonial Officers subject to confirmation or disallowance by the Queen, through the Secretary of State, who would, except in some very special case, advise Her Majesty to refer the matter to the Judicial Committee.

PORTUGAL AND THE EAST AFRICAN SLAVE TRADE.

MR. ALEXANDER M'ARTHUR (Leicester): I beg to ask the Under Secretary of State for the Colonies whether Her Majesty's Government has received information from the Governor of the Cape respecting certain natives of Mozambique, who escaped from the *Rei de Portugal* which called at Cape Town in August on its passage to St. Paul de Loanda, who are alleged to have been part of a cargo of slaves, and who were liberated by order of the Chief Justice of the Colony; whether Her Majesty's Government is aware that a regular traffic in East African Natives, for employment on the West Coast, is carried on by Portuguese vessels calling at Cape Town; and, whether Her Majesty's Government will take steps to prevent a continuance of this illegal practice?

BARON H. DE WORMS: The natives who escaped from the vessel in question were not liberated by order of the Chief Justice, the Court simply abstaining from making an order for their return to the steamer. They were stated by the Portuguese authorities to be military conscripts, not slaves. Her Majesty's Government have no reason to suppose that there exists such a traffic as that mentioned in the second portion of the question, but they have full confidence that the Cape Ministry would take the necessary legal measures to check it if did exist.

GOLD COAST—SLAVE TRADE.

MR. PICTON: I beg to ask the Under Secretary of State for the Colonies whether Her Majesty's Government has yet received a Report from the Governor of the Gold Coast, with regard to cases of slave dealing in that Colony, investigation of which was promised to the Aborigines Protection Society by the Secretary of State in August last; and, if not, whether Her Majesty's Government will inform the House as to the steps which have been taken to secure a searching inquiry into this matter?

BARON H. DE WORMS: The letters of the Aborigines Protection Society were sent to the Governor in despatches, dated the 27th of August and the 17th of September last, but no reply has yet been received. It must be evident that for the Governor to make such a searching inquiry into the matter as is desired must take some little time, and that his Report cannot therefore be expected immediately; and, moreover, he has for some time past been much pressed with work owing to the absence and ill-health of many of his officers.

MR. PICTON: Have the Government communicated by telegram with the Governor of the Gold Coast?

BARON H. DE WORMS: The Governor has been informed of the circumstances.

GOLD COAST—CASE OF AKOTO MAMLEY.

MR. PICTON: I beg to ask the Under Secretary of State for the Colonies whether Her Majesty's Government has received information as to the death, at Elmina, of Akoto Mamley, an old woman, who was sent to prison without trial by order of the Governor of the Gold Coast; if so, whether he can acquaint the House with the date and circumstances of her death; if not, whether Her Majesty's Government will call for a copy of the medical certificate, or Report of a coroner's inquest on the occurrence?

BARON H. DE WORMS: The circumstances under which Akoto Mamley was detained at Elmina were fully stated in my replies to questions put to me in this House on the 8th and 11th April, 1889, and are hardly correctly described by the hon. Member. The Governor reported on the 4th April last that Akoto Mamley had died on the 28th March of acute dysentery in the Colonial Hospital at Elmina. I may add that the other two Tavieve prisoners, Bella Kwabina and Napadseheh, have since been released and sent back to their own country.

MR. PICTON: Was this woman sent to prison by order of the Council?

BARON H. DE WORMS: I cannot admit that that was so.

Mr. Picton

ZONE FARES ON AUSTRIAN RAILWAYS.

MR. BLUNDELL MAPLE (Camberwell, Dulwich): I beg to ask the Under Secretary of State for Foreign Affairs if he can obtain a translation of the documents issued by the Austrian Government giving explanatory details of the Zone system of fares recently adopted upon the railways of that Empire, and whether he will lay the same upon the Table?

*THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir J. FERGUSSON, Manchester, N.E.): The Zone system of fares on railways is in force in Hungary, but not in Austria; and as yet only for passengers and not for merchandise. We have not received any documents giving explanatory details. Her Majesty's Consul General will be instructed to make a Report on the subject.

IMPORTATION OF FOREIGN CATTLE.

MR. GRAY (Essex, Maldon): I beg to ask the President of the Board of Agriculture whether his attention has been drawn to the report that recently, from one ship, in crossing the Atlantic, some 300 head of cattle were lost; and whether the Government are taking steps to minimise such occurrences?

*THE PRESIDENT OF THE BOARD OF AGRICULTURE (Mr. CHAPLIN, Lincolnshire, Sleaford): My attention has been called to the losses which occurred on board a ship which arrived at Newcastle from Montreal on November 9th, the *Linda* having lost during the voyage 379 cattle out of 554, after great suffering from exhaustion and suffocation. Acting under the powers vested in the Board of Agriculture by 47 and 48 Victoria, cap. 13, section 4, I have directed an order to be issued to prohibit the carriage of cattle by the vessel referred to.

MR. LENG (Dundee): I beg to ask the President of the Board of Agriculture whether the statement made in the Annual Report of the Secretary of Agriculture in the United States that

> "Not a single case of contagious pleuro-pneumonia has been detected among American cattle shipped to Great Britain since March last,"

accords with his official information.

And whether any such cases have been detected on the landing of American cattle since American veterinarians have been appointed to inspect American cattle landed at British ports?

*MR. CHAPLIN: The only Annual Report which has been received from the Secretary of the Agricultural Department of the United States is for 1889, but we are unable to find any statement therein such as that which appears in the hon. Member's question. I am informed that no cases of contagious pleuro-pneumonia have been detected among cattle landed from the United States since the 29th of March last, and therefore none since the arrival in this country of the three veterinarians appointed by the United States authorities to visit the foreign animals' wharves in Great Britain where American cattle may be landed. But so recently as September 30th a Report was received from Her Majesty's Ambassador at Washington reporting the re-appearance of pleuro-pneumonia in the State of New Jersey, a district which was supposed to be free from that disease, as no cases had been reported therein since January 20th of this year.

CYPRUS—REVENUE AND EXPENDITURE.

MR. LEVESON-GOWER (Stoke-upon-Trent): I beg to ask the Under Secretary of State for Foreign Affairs whether the attention of Her Majesty's Government has been directed to the unsatisfactory account of the revenue and expenditure of the Island of Cyprus contained in the Report of Her Majesty's High Commissioner for 1888-9; whether they have observed that whilst the revenue of the year amounted to £149,362, and the local expenditure to no more than £109,963, the payments made by Her Majesty's Treasury to the Porte under the Convention of 1878 was £82,799, and the Parliamentary Grant given in aid of such payments was £55,000; and whether, in view of the general agricultural and commercial depression prevailing in Cyprus according to the Report, and of the continued non-fulfilment by the Porte of its engagement under the Convention of 1878 to introduce reforms into the administration of Armenia, Her Majesty's Government will consider the advisability of devoting such tribute money to the relief of the inhabitants of Cyprus until the Porte shall have fulfilled its part of the Convention of 1878 by establishing some form of Government in Armenia under which the lives and property of Christians may be secure?

*SIR J. FERGUSSON: The figures in the second paragraph of the question are correct; but the Tribute is not actually paid to the Porte, being applied to the service of the Turkish loan of 1855, which was guaranteed by Great Britain and France.

CYPRUS—CRIMINAL ADMINISTRATION.

MR. EDMUND ROBERTSON (Dundee): I beg to ask the Under Secretary of State for the Colonies whether, in accordance with the promise he gave on the 10th of June last in reply to a question addressed him as to crime in Cyprus, he has made inquiries with regard to the murder of an advocate, named Michaelides, at Kyrenia, in February last, and to the case of poisoning of Aghissilaos Artemis, another advocate; whether he is aware that these two crimes attracted great public attention in the Island; whether, in respect of the first case, any and what persons were suspected of having an interest in the death of Michaelides; whether he is aware that it is a matter of notoriety in the Island that he had incurred the displeasure of certain persons shortly before he was murdered; whether it is known in whose company he was before the murder; whether anyone has been apprehended for the same, and, if not, what steps have been taken to trace the perpetrator of the crime referred to; with regard to the case of poisoning, has any report been obtained from the district medical officer as to whether he considered that Mr. Artemis was poisoned; whether he treated him as having been poisoned; whether he made any chemical examination of the vomit, and, if not, what prevented him from doing so; whether any person was suspected of this poisoning; and, whether, although the district medical officer directed that the vomit should be kept, it was thrown away, and, if so, by whom and by whose direction was that done?

BARON H. DE WORMS: Inquiry has been made as promised. A Report has been furnished by the Chief Commandant of Police, which the hon. Member can see if he will be good enough to call at the Colonial Office.

LIGHT GOLD.

MR. MONTAGU (Tower Hamlets, Whitechapel): I beg to ask the Chancellor of the Exchequer when he intends to introduce the Bill dealing with the light gold still in circulation; and, whether he proposes to issue one pound notes against a portion of the gold which may be demonitized?

MR. GOSCHEN: A Bill dealing with light gold has long since been in print, and I should have asked the House to deal with it last Session if there had been time, but I have not yet made up my mind whether I should introduce it in precisely the same form. I have observed that many people seem to see a special relation between the withdrawal of light gold and the issue of £1 notes, yet the expediency of either measure is independent of the other.

THE WEST HIGHLANDS AND ISLANDS COMMISSION.

DR. M'DONALD (Ross and Cromarty): I beg to ask the First Lord of the Treasury whether the Government have considered the Report of the West Highlands and Islands Commission; and how soon is the result of their deliberations on the said Report likely to be made known to the House?

***THE FIRST LORD OF THE TREASURY** (Mr. W. H. SMITH, Strand, Westminster): The Report of the Commission is under the consideration of the Government, and a statement on the subject will be made later in the Session—a statement which, I hope, will not be long delayed.

THE IRISH MAILS.

MR. PICTON: On behalf of my hon. Friend the Member for Londonderry (Mr. Justin M'Carthy) I wish to put a question to the Postmaster General of which he has received private notice, namely, why a special train was not sent down to Derry to-day with the late English mails?

SIR J. GORST: I have been requested by my right hon. Friend to answer the question. The arrangement for the use of a special train, under certain conditions, for the transmission of the English mails for Belfast was a provisional arrangement and limited to Belfast. In the event of it being adopted permanently, the question of making it applicable to Derry will be carefully considered.

HOURS OF ADULT LABOUR.

Address for—

"Return showing any laws or regulations affecting the Hours of Adult Labour in each of the Colonies, also showing in each Colony the hours worked per day, and wages paid in various industries, so far as the same can be ascertained."—(*Mr. Bradlaugh.*)

POST OFFICE TELEGRAPHS.

Copy ordered—

"Of Account showing the Gross Amount received and the Gross Amount expended in respect of the Telegraph Service from the date of the Transfer of the Telegraphs to the State to the 31st day of March, 1890 (in continuation of Parliamentary Paper, No. 50, of Session 1890)."—(*Mr. Jackson.*)

Copy presented accordingly; to lie upon the Table, and to be printed. [No. 22.]

QUEEN'S SPEECH (ANSWER TO ADDRESS).

THE COMPTROLLER OF THE HOUSEHOLD (Lord ARTHUR HILL) reported to the House, That Her Majesty, having been attended with their Address of the 25th day of November last, was pleased to receive the same very graciously, and to give the following Answer:—

I have received with much satisfaction your loyal and dutiful Address.

I am confident that the matters which I have recommended to your consideration will receive your earnest attention; and you may rely on My co-operation in your endeavours to promote the well-being and happiness of My people.

EDUCATIONAL ENDOWMENTS (SCOTLAND) (ANDERSON'S INSTITUTION, ELGIN).

ANSWER TO ADDRESS.

The **COMPTROLLER OF THE HOUSEHOLD** reported to the House, That their Address of the 7th day of August, in the last Session of Parliament, relative to Educational Endowments (Scotland) (Anderson's Institution, Elgin), had been presented to Her Majesty; and that Her Majesty had been pleased to receive the same very graciously, and to give the following Answer:—

Gentlemen of the House of Commons,

I have received your Address praying that I will withhold my Consent from that part of the Scheme of the Educational Endowment (Scotland) Commissioners for the administration of the Endowment in the Burgh and County of Elgin, known as the Elgin Institution for the Support of Old Age and the Education of Youth, which consists of the following words, viz.:—"for girls" and "female" in the third line of Section 29; the word "girl" in the second and fifth lines of Section 32; and the word "girl" in the first line and "female" in the third line of Section 33 of the said Scheme.

I have given directions for these words to be omitted accordingly in compliance with your advice.

ORDERS OF THE DAY.

TITHE RENT-CHARGE RECOVERY BILL.—(No. 110.)

SECOND READING.

Order for Second Reading read.

*(3.58.) THE PRESIDENT OF THE BOARD OF TRADE (Sir M. HICKS BEACH, Bristol, W.): Mr. Deputy Speaker, in the few observations which it will be my duty to submit to the House I shall not address myself in any way to the Amendment which the hon. Member for Montgomeryshire (Mr. Rendel) has placed on the Paper. The hon. Member asks this House to affirm—

> "That no measure dealing with tithe rent-charge will be satisfactory to the people of Wales which does not recognise the fact that tithes are national property, to be devoted to national purposes, and that the tithe rent-charge in Wales ought to be applied in accordance with the constitutionally-expressed wishes of the people of the Principality."

Now, Sir, I do not agree with the view of the hon. Member and his friends that Parliament has any right to deal with tithe rent-charge as national property. But I decline to argue that question now, with every respect to them and with a complete admission of the importance of the Amendment in itself, because I would venture to submit to the House now, as I submitted last year, that this is not a Bill which in any way proposes to deal with the appropriation of tithe. It is a Bill solely intended and purporting to secure the better payment of tithe, to prevent property which, whether it belongs to the tithe owners, as we think, or to the nation, as hon. Members opposite think, is a valuable property, from being lost by remaining in the pockets either of the owners or occupiers of titheable land who have no right to it. Therefore, Sir, I shall confine myself to an attempt to explain to the House the provisions of this Bill and the difference between this Bill and that which it was my lot to introduce last Session. In the first place, hon. Members will have observed that this measure contains no provision for redemption. In 1889 a very general desire was expressed among Members on both sides of the House that the law relating to the redemption of tithes should be amended, and last Session we inserted in our Bill certain proposals with a view to facilitating the redemption of tithes. I am bound frankly to admit that those proposals did not meet with any very encouraging reception, and I think that, generally speaking, there has been shown since they were made a disposition on the part of hon. Members who have principally taken an interest in this question to prefer that there should be some inquiry, both into the principle of the law of redemption of tithes and the mode in which that law has been administered, before any fresh legislation is proposed on the subject. We have, therefore, omitted from this Bill any provisions as to the redemption of tithes, and it is our intention to advise the appointment of a small and competent Commission which shall examine into the matter, and which will, I hope, without any undue expenditure of time, make such a Report on the subject as may enable Parliament to deal with it to the benefit of owners and payers of tithes. Therefore this Bill is confined simply to amending the law relating to the recovery of tithes, and in the first and second clauses of the Bill we have endeavoured to carry into effect the proposition that the owner of titheable land should be prevented from contracting himself out of his liability to pay rent-charge, and that the law should be altered to give the tithe owner a direct remedy against the owner of the land instead of the tenant. Last Session I was told that I was treating this matter as if it were only a Welsh matter. There is no doubt in my mind that the urgency of this question mainly arises from the widespread resistance to the payment of tithes in Wales, and to the scenes of disgraceful violence by which that resistance has too often been accompanied. But we are prepared to maintain that it is quite as necessary in England as in Wales that the owners of land should in the future be prevented from making their tenants parties to a transaction with which they have nothing whatever to do, and that the produce and stock of a tenant should be safe from being distrained upon for a debt due by the landlord. There are two important changes in the procedure proposed in the first and second clauses of the Bill. The first clause proposes, as the Bill of last year proposed, that tithe rent-charge should be payable by the owner of the land, notwithstanding any contract between him and the occupier of the land, and as that imposes a liability on the owner, it goes on to provide that where the occupier is liable under any contract made before the passing of this Act to pay the tithe rent-charge, then he shall cease to be bound by that part of the contract; but during the period he shall, unless he otherwise agrees, owe to the owner such sum as the owner has to pay for that tithe rent-charge. Last Session the Bill proposed that the sum to be paid by the occupier should be owed as rent, and that therefore it would be recoverable in the same way as rent. This Bill proposes that it shall only be recovered as tithe rent-charge is recoverable—namely, by distraint under the Tithe Act. Therefore I think it will be clear to the House that in this respect the tenant is in no way placed in a worse position by the provisions of the Bill than that in which he has placed himself by voluntary contract on his part, and, of course, it will be in his power—in the power either of the landlord or the tenant if they dislike that position to terminate the contract in the ordinary manner. There is another important change of procedure in the second clause, which deals with the recovery of tithe rent-charge.

Sir M. Hicks Beach

Last Session's Bill proposed that recovery by means of a Receiver should be substituted for distraint under the Tithes Act. That was objected to very strongly, because it was contended that such a procedure would be very oppressive upon the owners who were also the occupiers of the land, and particularly on small freeholders. Now, the Irish Act, under which owners of land there were made subject to the payment of tithe rent-charge, provided a mode of recovery which we have imitated in the present Bill. It provided for the appointment of a Receiver by the Court only in cases, where land was let, and therefore there was some rent to receive, and it provided also that where the owner was the occupier the recovery should be by distraint. That is practically our proposal in the second clause of this Bill. Where the owner is also the occupier we propose to retain the power of distraint under the Tithe Acts. Some Members may ask what is the object of enforcing this through the County Court. I will endeavour to explain. I believe it will be a great advantage to the tithepayer because, while now he is liable to be distrained upon at the will of the tithe owner by any agent appointed by the tithe owner, in future he can only be distrained upon by a qualified officer, after being heard by the County Court, which will decide, after giving him full advantage of the provisions of the third clause of the Bill. It will also be an advantage to the tithe-owner, because the direction of the Court will save him from the damages to which he might become liable if he distrained on a mere tenant under the mistaken belief that such tenant was the owner of the land. These are the main alterations in the procedure proposed in the first and second clauses in the Bill; and now I come to the third clause. It has been contended very often before, and I daresay it will be contended again, that the proposals of this Bill amount to an alteration of the Act of 1836, in favour of the tithe owner, and that Parliament ought not to take this step without making some corresponding alteration in favour of the tithepayer. Well, that argument ought not to be carried quite so far as it has been, because it is absolutely contradicted by the simple fact that on no less than 14 occasions since the passing of the Act of 1836 that Act has been amended by Parliament, in favour of one side or the other, without taking any corresponding advantages into consideration at all. I think that view to which I have referred underlies both the Amendments on the Paper by the hon. Members for Suffolk and Essex. The Member for Essex goes further than the Member for Suffolk. He refers in his Amendment to appreciation or depreciation in a way which I confess I do not understand. He proposes—

> "That it is desirable that, before any legislation affecting the appreciation or depreciation of tithe rent-charge is presented to Parliament, an inquiry should be made, either by Royal Commission or otherwise, into the working of the Tithe Commutation Act of 1836, under the present altered and unforeseen conditions of agriculture."

Well, if the effect of this Bill was to depreciate the tithe rent-charge, I cannot see on what ground, from the hon. Member's point of view, his proposition could be sustained. His contention is that it would appreciate the value of the tithe rent-charge; but I venture to say that if we have due regard to the great and increasing number of cases in which the tithe rent-charge is paid directly by the owners of land to the tithe owner, and also to the fact that there will be cases, if this Bill becomes law, in which it will be inconvenient to the tithe owner rather than to his advantage—if we have due regard to these facts I do not believe that such calculations as have been made of the great appreciation of tithe rent-charge which the Bill will produce will be found to have any real foundation whatever. I believe that any appreciation of tithe which may be the result of this Bill will be amply met by the proposals which are contained in the third clause. But what do the hon. Members really want? What I think they really want is contained in the words of the hon. Member for Suffolk (Mr. F. Stevenson), who proposes

> "That, in the opinion of this House, no measure dealing with the mode of levying tithe rent-charge will be satisfactory which fails to make provision for an equitable revision of tithes in accordance with the altered conditions of agriculture."

That is their view; they ask that tithe rent-charge should be lowered where the value of the land out of which it issues has decreased since 1836; but when the matter was discussed in the House last Session, the hon. Member for Leicester (Mr. Picton) and, I think, the right hon. Member for Derby (Sir W. Harcourt) also, pointed out that the matter could not stop there, and that, in fact, whoever may be the person who stands in the position of the tithe owner, whether the existing tithe owner or the nation at large, in common justice we could not require him to have his good bargain under the Tithe Act of 1836 set aside, and his bad bargain under that Act enforced, and that, therefore, equitable revision would mean that where the tithe was too high it should be lowered, and that it should be raised where it was too low. I, however, venture to submit that it would be absolutely impossible for any Commission to recommend, or for the House of Commons to adopt, such a proposal as that, because to do so would be to reverse the great principle of the Act of 1836, which was universally accepted at that time, and which, I believe, would be universally accepted at the present day—namely, the abolition of the growing tithe. For more than 50 years the owners of titheable land have been rendering their land more productive by expending large sums upon its improvement on the faith of the principle so embodied in the Act of 1836 that growing tithe should be abolished, and I should like to know how it is possible now to turn round upon those men and say, "We have lowered the tithe in certain cases owing to the depreciation in the value of land, but we intend to raise the amount of the tithe charged upon your land because owing to your expenditure it has increased in value." A policy such as that would be an impossible one, and therefore I consider that the so-called equitable proposal put forward by the hon. Members for Essex and Suffolk would not be entertained by the House of Commons for a moment. What I think, however, can be done is to meet reasonably these hard cases which are due to the temporary depression of agriculture. I call that depression temporary because it is the opinion of those who are most experienced in such matters that the present depression is by no means likely to be of a permanent character. The principle upon which we have attempted to deal with these hard cases is that the tithe rent-charge should never be permitted to exceed the net profits of the land. I think that to apply that principle boldly would be in the interest of the tithe owner. I think that it is generally felt that it would be impossible for us to apply fairly the principle I have just indicated without the intervention of some local tribunal accustomed to the practice of local valuation, because, where land is not let, it would be difficult to arrive fairly at the net value of it in any particular year without ascertaining the rent that it might reasonably be expected to let for. Therefore it was that last year I proposed that the net profit should be a special rateable value fixed by the Assessment Committee of the Union in which the lands are situated, and that the tithe rent-charge should never exceed the amount so fixed, the result of which would have been that an allowance varying with local circumstances of from 10 to 15 per cent., being the difference between the gross estimated rental and the rateable value, would have been made in all cases to the owner of land for repairs and other expenses, the remaining balance being taken as the net profit of the land. I confess that last year I found some little difficulty in explaining that proposal, even to Members of this House, but that, I have no doubt, was my own fault. I feel, however, pretty certain that, owing to the peculiar nature of our rating laws, it would be very difficult indeed to frame that proposal in such a shape as to be intelligible to the Assessment Committees, who would have to administer the law, and, therefore, this year we have departed from that proposal, and have substituted for it that which is embodied in the third clause in the Bill, namely, that the assessment of the land under Schedule B of the Income Tax shall be taken as the gross annual profit of the land. Of course, that amount would be merely the basis for the calculation of the net profits, because it would be necessary to make certain deductions from it in order to arrive at the net profits of the land. What those deductions should be is a matter for future discussion, but we propose that they shall be taken as one-third. Therefore, in no case would the tithe rent-charge exceed two-thirds of the amount at which the land was assessed under Schedule B of the Income Tax. I believe that that proposal is more favourable to the tithe rent-charge payer than that which was contained in the Bill of last Session. I believe that it will in all cases allow not merely for repairs and maintenance and management of the property, but that it will also leave some beneficial interest to the payer of the tithe rent-charge. I must say that, in my opinion, neither those who originally gave the tithes nor those who framed the Act of 1836 intended that the tithe rent-charge should deprive the owner of the land of all interest in his property. Our proposals could not result in permanent loss to the tithe owner, because if through them the amount of the tithe were to be reduced in any case owing to the depreciation in the value of land, and the value of the land were to increase subsequently, the Surveyor of Taxes would, undoubtedly, raise the assessment of the land under Schedule B of the Income Tax, and thus the tithe rent-charge would be raised automatically. There are provisions in the clause which will prevent it from being unfairly applied against the tithe-owner, where there has been a special apportionment of tithe rent-charge on a certain portion only of the land of a parish, or where land is intentionally kept in an unprofitable condition for building purposes. I do not think that it is necessary for me to say anything about the other clauses in the Bill, but I venture to contend that by the proposals in the third clause we have done something to meet the desire that this Bill should contain an alteration in the law favouring the tithepayer as well as the tithe-owner. We were twitted last Session, and I daresay that we shall be twitted again this year, with changing our proposals in this matter. I can only say that I am not in the least ashamed of having altered proposals relating to the details of legal procedure in a matter which is about as complicated and technical as any which the House could be called upon to deal with, but I should be ashamed if I had neglected to avail myself to the full of the criticisms and the suggestions which can be drawn not merely from the discussions of last Session, but from the Amendments which were then placed upon the Paper. We have endeavoured as far as is legitimately consistent with the principles of our Bill to meet those criticisms and suggestions, and we shall continue to follow that course with regard to any suggestions that may be made in the course of the Debate on this Bill, and which appear to spring not from a mere desire to delay and to obstruct legislation, but from a real anxiety to secure, with fairness to both sides, an amendment of the law which all parties profess to desire in itself, and which, in my humble opinion, has been too long delayed. I beg to move that the Bill be read a second time.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Sir M. Hicks Beach.*)

(4.28.) MR. HERBERT GARDNER (Essex, Saffron Walden), in whose name the following Amendment stood upon the Paper :—

"That, in the opinion of this House, it is desirable that, before any legislation affecting the appreciation or depreciation of tithe rent-charge is presented to Parliament an inquiry should be made, either by Royal Commission or otherwise, into the working of the Tithe Commutation Act of 1836, under the present altered and unforeseen conditions of agriculture,"

said : I am glad to notice that the arguments of the right hon. Gentleman have not been addressed to the criticism of his Bill, and I think that both he and the Government have great cause to be thankful at the position of the question, because I notice that in the present measure the Government have retreated from all the propositions which they have brought forward in all their previous measures, such propositions involving not merely matters of legal procedure, but vital principles. Her Majesty's Government have in reality turned a complete political somersault, and have brought in an entirely different measure. In the Bill brought in in 1888 the onus of the tithe was absolutely placed upon the occupier. I ask the House whether these are mere questions of procedure? Therefore, I say the right hon. Gentleman and the Government are open to the criticisms I have ventured to offer. Well, Sir, the right hon. Gentleman has made an important statement in the course of his speech in moving the Second Reading of the Bill. He has stated that he shall ask the House to assist in the appointment of a Commission to consider the redemption of tithe. Now, that is a subject on which many hon. Members hold different views ; but speaking from the point of view from which I regard it, from which my own constituents regard it, and, I may say, from which the tithepayers of the Eastern and Southern Counties regard it, I say that we should not welcome any Commission for the Redemption of Tithes if it were not also charged with the establishing what we consider a fair tithe would be. The right hon. Gentleman went on to drag the red herring of growing tithe across the path of those gentlemen who are opposed to the view which those in the Eastern Counties take on this subject, but I hope the House will permit me to point out that in the Amendment which stands in my name I have merely asked the Government for an inquiry with a view of seeing whether it is necessary that any revision of the tithe should take place. Neither am I in any way opposed to legislation on the subject. On the contrary, I hold that legislation may be necessary and salutary in regard to this highly difficult and important question. Just as our predecessors in 1836 were able to carry through their exceedingly difficult, technical, and much misunderstood Act, so, in the present Parliament, if some reasonable and well-digested measure were approached in a moderate and conciliatory spirit by both sides of the House, it would be possible to legislate on this subject in the right direction. But whatever may be said by Her Majesty's Government, I am certain that this measure can only be regarded as a very small measure, and, also, as a most incomplete measure. It professes to deal, in some way, with the interests and grievances not only of the tithe owners, but also of the tithe bearers. With regard to the tithe bearers, as far as I can see, this Bill only touches the fringe of the question, and when its contents come to be known in those counties which are most concerned in the matter, it will be unanimously rejected by them as useless and unsatisfactory. When there are two or three parties to a dispute such as is raised between the tithe owners and tithe payers, legislation to be permanent must not be conceived in a one-sided spirit. If legislative action is to be satisfactory it will most probably take the form of a compromise, but it must be a fair compromise, in which both parties will be able to shake hands, and the result will be of a soothing character. But this Bill is not a sedative; it is rather an irritant; and, in my opinion, small as is its scope, it will have the effect of arousing and exciting the attention of the tithe payers, and inducing them seriously to consider their grievances; and, when the Government have thus aroused and excited the tithe payers' attention, the Bill they have introduced will leave them with the impression that they are, in reality, worse off than they were before. I do not suppose that anyone even on the Benches opposite will dispute that this question is a most highly complicated and difficult one. The Prime Minister certainly admitted this when I, and others, waited upon him as a deputation at the Foreign Office at the commencement of his term of office. He also admitted that this was his opinion when he introduced his Bill in the House of Lords, and he has again made the same admission, both in the Press and on the platform. But there is another and a very significant circumstance which may be regarded as conclusive of the fact that the Government look upon the question before us as one of an exceedingly difficult and complicated character, and that is the fact that, although we are now entering on the fifth Session of the present Parliament, during which they have held office for four years, and although this question is admitted by them to be of the highest importance, Session after Session has been allowed to pass, and yet, up to the present moment, although possessed of a large and overwhelming majority, Her Majesty's Government have been unable to induce Parliament to accept one of the measures they have brought in dealing with this question. I think I stand upon strong ground when I say that this is so difficult and technical a subject that the Government have not been able up to the present time to find a solution of the problem it presents. If Her Majesty's Government in the hey-day of their youth and strength have not been able to pass a simple measure on the subject, how can they hope to be more successful in coming to us at a period when Parliament has long passed middle-age, and asking us in an exceptional Session to accept such a proposal as that which they have now brought forward? I think the House may well pause before it accepts, under such circumstances, a measure which the Government have hitherto been unable to pass. If the Government, with the best intentions in the world, have not been able to deal successfully with this question, the reason is obvious and simple—it is because it is idle to tinker with a great question of this sort. If they re-open the settlement of 1836, as they do by this Bill, and as they have done by every Bill they have brought in on the subject in the past, they must do it in a broad and statesmanlike manner, and not approach it in a small tinkering spirit such as that in which they approach it now. Having said so much, I will venture to offer a few criticisms on the measure as it stands. To my mind it is almost as unsatisfactory as was the previous measure; although no doubt the Government, bearing in mind the criticisms passed on their previous attempts at legislation on this subject, have to some extent modified their previous proposals, still, the present Bill does not in any material degree differ from their previous effort. True, it changes the incidence of the burden of the tithe from the occupier to the landowner, but, so far as the tithe payer is concerned, it contains nothing that will make it more acceptable to him. The object of the present proposal is apparently to make the landowner directly responsible for the payment of the tithe rent-charge. Personally, I have no objection to that; but I ask whether the right hon. Gentleman the President of the Board of Trade, and those who have assisted him in bringing in this Bill, consulted the occupiers, and, if so, what was it the occupiers said? Did the demand for the change of incidence come from the occupiers in the eastern or southern counties? I venture to say "No." The demand has in reality come from the tithe owners, who wished to appreciate their tithes by obtaining greater facilities for their collection. The farmers say that if, as is the case in your present Bill, you put the charge on the landlord, the landlord will most certainly, when he has the opportunity, add the amount on to the rent, so that the occupiers will not be one penny the better for the change. Indeed, the farmers put this forward as a contention against the Bill; they say that, during periods of agricultural distress, when the tithe has been unduly oppressive, they have hitherto been able to go to the tithe owner and appeal to his generosity for some concession in regard to the tithe, and that in many cases, for instance, as I hear, in the County of Hampshire, Lord Winchester and several other lay impropriators have reduced the tithe by a large percentage. But what do you do by this Bill? You put the landowner in front as the tithe payer, and thus you make it impossible for the occupier to appeal to the generosity of the tithe owner. I must also say that in places where at the present moment the tenants are on the most amicable terms with the landowners this Bill would bring about a state of things very undesirable to both parties. We are told that it is only the landowner who is to pay the tithe. The landowner in the opinion of some of my hon. Friends, is a millionaire, or at any rate one of that class of whom it is said, "They toil not, neither do they spin;" but I would point out that this measure will affect a large number of landowners who possess very small areas of landed property, namely, all those coming within the yeomanry class. I do not desire to weary the House by going into statistics, but I saw in a return for the year 1873 that in the county of Kent, which is a county that at the present moment is one of the heaviest-tithed parts of the kingdom, there are only 382 landowners who hold more than 500 acres each, while there are 7,000 who hold land varying in extent from one to five hundred acres. These are the men you are going to make responsible for the payment of the tithe. If you were dealing only with wealthy landowners there might not be so much objection to the proposal; but how will this Bill compare with the Tithe Commutation Act of 1836? In this measure you insert a clause making the tithe recoverable in the County Court. See what effect this will have, and what a difference it will make in the case of the small yeomen with regard to the question of costs! Under the Tithe Commutation Act of 1836 the whole preliminary expense in a case of legal procedure for tithe consists of half-a-crown for a statutory notice. By this Bill you transfer the procedure to the County Court, and I will venture to say that, in a disputed case where, say, £20 is sued for, and witnesses have to be called, the cost will amount to something like £10, or 50 per cent. of the whole amount at issue. Now, let me come to the famous clause which the right hon. Gentleman the President of the Board of Trade has put forward as such a tempting sop to the tithepayer. I refer to the clause which deals with the question of the remission of the tithe rent-charge. No one who has studied the question can help seeing that this two-thirds average is far too high, and that it will not touch one-fiftieth part of the cases of distress. I have not before me the statistics which are doubtless in the possession of the right hon. Gentleman the President of the Board of Trade; but, without having seen them, I have no hesitation in saying that this clause will not touch 100 cases of distress out of the whole number. At what cost are we going to purchase this small concession to the tithepayer? Why, by declaring by a solemn vote of the House that two-thirds of the annual value of the land is in our opinion a fair, just, and non-excessive tithe. In this matter I think I shall have the sympathy of my agricultural colleague the Member for Maldon. The hon. Member has attended many meetings of tithepayers, but I ask him what sympathy he could expect to meet with from them if he gave his vote in Parliament in support of the proposition that two-thirds of the annual value of the land is a fair and just and equitable tithe? Now, I should like to put before the House some reasons why there should be a Committee of Inquiry before legislation, as the fairest way of approaching the question. In the first place, all on this side of the House hold that tithe is the property of the nation, and that Parliament, as guardians of the public purse, whether they be in favour of the Established Church or of Disestablishment, are bound to see that that national property is neither lost, destroyed, nor endangered. I know that if you leave such a cause of friction among many of the tithepayers of the counties of England, you will come within very near distance of an agitation for the abolition of tithe. This is said to be a purely landlords' question, but, if that is the case, then I must say that the farmers show a most loyal, and I would even say a quixotic, interest in the landlords' affairs. But they hold that it is not a landlords' question. They hold, rightly or wrongly, that the land of this country is the raw material on which they work, and that if you put an excessive charge on that raw material you must injure the manufacture. The fear of an agitation for the abolition of tithes was one of the great reasons for the passage of the Tithe Commutation Act of 1836. It was the fear of its utter loss to the nation and to the Church which induced men so different in politics as Mr. Hume and Sir Robert Peel to vote for the Bill on that occasion. Sir, there is the question of the septennial averages. By the test of 1836 the tithe is calculated on the average value of wheat, barley, and oats for the seven years preceding that in which the tithe is paid. The result is that the farmer may be called upon in his first year of the tenancy, though that year is one of a disastrous nature to agriculture, to pay tithe based on the average prices realised in the seven preceding and prosperous years. It is admitted by all parties that the subject of the septennial averages is one which might well be inquired into. Many hold that the return of the averages, made by official inspectors, is a fallacious return. It is held that they are made upon small samples of the best qualities of wheat, barley, and oats, and therefore the prices fixed are fallacious. I am not supporting this argument myself, but this argument is undoubtedly true—that it was the intention of the Tithe Commutation Act that the tithe in future should fluctuate with the price of cereals, as it had done in the past. That intention is borne out by a remark of Lord Lansdowne on the Second Reading of the Bill in the House of Lords, where he said that it was necessary in equity that the payment of the tithe should fluctuate with the value of produce. But let us suppose that the three cereals were chosen as the standard because in the opinion of the statesmen of that day they were less fluctuating than other articles or money would be. They supposed gold would not appreciate but rather depreciate in the coming year. They had many reasons for supposing that corn would remain more or less stable in value. The direct contrary has come about. Since the Act of 1836 gold has appreciated and corn has fluctuated. If this be true, no sound financier would in the present day take three cereals as the stable standard of value. If that intention be true, as to the vital principle of the Act of 1836, you certainly have a reason why, at any rate, there should be some inquiry into the subject. The Act of 1836 has not carried out the intentions of its original framers. Lord John Russell, in introducing it, said it was a plan which in future years would leave persons at liberty to cultivate their land without any apprehension of the augmentation of tithe. Every one connected with agriculture knows that the value of tithe, measured by the value of produce, has already augmented to such an extent that in some cases the land has been driven out of cultivation, while in many cases the tithepayer has been unable to cultivate his land at a profit. Yet by this very Bill you wish us to admit that two-thirds of the annual value of the land is the just and equitable value of tithe. Those who framed the Act of 1836 would have laughed such a suggestion to scorn. I think I have made out some case in regard to the matter. At the same time, if I moved my Amendment in a direct form it would limit discussion, which I have no wish to do. I do not wish for a moment to press anything more than I have stated in my speech. Dull and wearisome as this subject may be, it is one which affects a vast property of £60,000,000 belonging to the nation, and it also affects what was formerly the principal, but now is, unfortunately, a decayed, industry of this country — agriculture. It is for the House to decide whether my arguments are of value, and worthy consideration. It is for the House to decide moreover whether, by accepting the Second Reading of this Bill, they will reopen a great question affecting a great National property and a vast National interest. Leaving a partially futile and incomplete proposal, they will proceed, I venture to think, on the broader and safer lines of inquiry before legislation—the lines which, in my humble judgment, are sanctioned by every precedent of moderation, equity, and justice.

*(4.48.) MR. C. W. GRAY (Essex, Maldon): Mr. Deputy Speaker, I agree with some of the remarks of the hon. Member for Saffron Walden, but I fancy there are not many hon. Members opposite who go with him in the recommendation that the tithe should be lowered. What we have to consider from the tithepayer's point of view is whether it would be better that this Bill should be read a second time, thus certainly affording some measure of relief to the tithepayer, or would it be better to say "No" to the Second Reading of the Bill, and trust to hon. Members opposite going further for the relief of the tithepayer than the present Government proposes to go. The hon. Member for Saffron Walden has told us that the farmers of the Eastern Counties disapprove of the proposals contained in this Bill to transfer the onus of paying the tithe to the landlord. Where he got his information from I cannot imagine.

MR. GARDNER: That I understood to be the decision come to by the Essex Chamber of Agriculture.

*MR. GRAY: I am very glad to obtain that information. But if the hon. Member thinks that that Chamber always expresses the opinions of the farmers of the Eastern Counties, I beg him not to be thus misled. I have every respect for the Essex Chamber, belonging to it as I do, but it sometimes gives expression to opinions which are not entertained by any large proportion, or even by a majority, of the farmers of East Anglia. Again I ask the hon. Member how it is, if it is so unfair from a tenant-farmer's point of view to transfer the onus of tithe-paying from the tenant to the landlord, how is it that Members of the Opposition voted with me when I brought this question to an issue a Session or so ago. Evidently, at that time the hon. Member did not disapprove of that which he says the farmers of East Anglia to-day disapprove of. I am fully as anxious as my hon. Friend that those very hard cases to which I have often alluded, in which the tithe has become a more valuable property than the landlord's beneficiary rent, should receive attention. I hope to have something to say on that matter in Committee; indeed, I think the very drafting of this Bill challenges a discussion on that point. But where should we be if we refused to pass this Bill and awaited the Report of a Commission such as the hon. Member proposes. In the first place, we should have to wait for the Report of the Commission, and all that time the vexed question would remain unsettled in Wales, and the tithepayers in East Anglia would have no relief whatever. The right hon. Gentleman the President of the Board of Trade in his speech, which, if I may be allowed to say so, was the best on the tithe question I have ever heard in this house, said there had been tithe legislation thirteen or fourteen times since the passing of the Commutation Act, and on each occasion the tithepayers' interest had been ignored. I took it he adduced that as a reason why in the future their interest should be considered.

*SIR M. HICKS BEACH: My hon. Friend misunderstood me. I said that in some cases the advantage of the tithe-owner, and in others that of the tithe-payer, had alone been affected.

*MR. GRAY: I certainly did misunderstand the right hon. Gentleman. I am glad we have some precedents for considering the tithepayers' interest. The hon. Member for Saffron Walden asked how the tenant-farmer would be benefitted by transferring the payment of the tithe to the landlord. As matters stand. there are many difficult questions in connection with the collection of the tithe, such as the taking of the corn averages, and it is obvious that if the tenant-farmer is relieved of the payment of the tithe he will also be relieved of his anxiety in regard to the settlement of these difficult questions. In my opinion, the changes which have been made in the Bill are good in every respect; but it is hardly fair on the part of the hon. Member for Saffron Walden to claim these changes as the result of action taken by himself or his Party. There are many hon. Members on the Government side of the House who have acted most cordially with myself in making our views understood by the Government. And those hon. Members may certainly congratulate themselves on having made some impression on the Government. I do not believe that the yeoman farmer will be in the least degree injured by the present proposals; but I did see a danger to the yeoman farmer in the last Tithe Bill. In most cases the present Bill will leave him much in the same position, but there will be far more cases of relief afforded than is supposed by the hon. Gentleman opposite. The man farming his own land who on his assessment can show that his tithe will be more than two-thirds of the annual value will obtain the same relief as the large landlord will obtain. As to the relief clause, I most earnestly hope that, before the Committee stage is reached, the Government will once again consider some of the suggestions made by their own supporters, and especially I hope that they will reconsider the possibility of altering, with fairness to both parties, the point at which relief can be obtained from two-thirds to one-half. The question is not merely one of the remission of the tithe rent-charge when it exceeds two-thirds of the annual value of the land. The assessment is based upon what may fairly be called two rents—the rent paid to the landlord, and the rent paid to the tithe owner. So the Bill really provides that remission shall be given only when the tithe exceeds two-thirds of itself, *plus* the rent to the landlord. Such a provision very greatly limits the scope of the relief afforded by the Bill; and many hard cases will obtain not a shade or shadow of relief. For instance, let the House consider the case of the farm upon which successive landlords have spent immense sums of money, and which now pays a rent of 4s. an acre to the landlord and a tithe rent-charge of 5s. an acre. At the time when the tithe was adjusted, in 1836, that farm was perhaps paying a landlord's rent of 25s. or 30s. an acre, while it paid a tithe of only 6d. or 8d. an acre more than it does at present. In this case no relief will be afforded by the Bill. As this question is being opened up I hope that the Government will go further than they at present propose to do. If they cannot at once accept my suggestion as to the change from the two-thirds to one-half, let them at least leave it an open question to be decided by the House. I should like to see what the hon. Member for Saffron Walden will do if such an Amendment has a fair chance of being carried by the House. I should like to know what the leader of the Opposition will say about it, because I am aware that there are many hon. Members on the other side of the House who maintain that there should be no relief whatever given to the tithepayers as long as there is a single penny coming from the land. When I bring forward my Amendment in Committee I hope that the Government will allow it to have a fair chance, and that they will not appoint the Government Whips to tell against me. I think on the whole that the tithepayers of East Anglia will consider that a spirit of compromise has been shown in this Bill; and, although it cannot be looked upon as a final measure to settle the entire vexed question, at any rate it is a Bill which has considered the interests of both parties concerned in the question. I have no doubt that a final settlement of the question must come under some scheme of redemption, but the House of Commons is not quite ready to pass such a measure as I should consider fair to the tithepayers. A good deal more information is needed before Parliament is really able to settle what a fair scheme of redemption would be. That is the reason why I was so anxious to get the redemption clauses cut out of the last Bill. That has now been done, and we have the promise of the appointment of a Commission to consider the possibility of redeeming the tithe—a promise worth a hundred such visionary offers as have been made by hon. Gentlemen opposite. I hope the Bill will be read a second time, although I shall do everything in my power to press upon the Government in Committee the adoption of the Amendment substituting a half instead of two-thirds as the point at which relief is to be forthcoming.

Mr. Gray

(5.20) MR. PICTON (Leicester): I congratulate the Government on having brought in a Bill infinitely superior to any before laid on the Table of the House. As they have been told by the hon. Member who last spoke, the weak point of the Bill is the stage at which the relief is to be granted. The hon. Member desires to make it at one-half instead of two-thirds. Some of us would desire to see it lower still, but at any rate by this Clause the Government have laid themselves open to very serious attacks. So far as the Bill removes the payment from the occupier to the owner, I think that it only carries out what was originally intended by the Act of 1836. Lord Grey, as the last survivor of those who took an active part in the negotiations of that year, explained in the *Nineteenth Century* last year that this was undoubtedly the intention of the measure. I think that on the whole the present Bill carries out that intention very satisfactorily. I am pleased, therefore, to observe subsection 3 in Clause 1, which removes some of the objections felt by many hon. Members on the Opposition side as to the rigour with which tithe was to be exacted from the occupier. I understand that that portion of the rent which is paid by way of tithe, through the landlord, is only to be exacted by the same means as are now used for its recovery, and that the distress, if any, is only to be on the produce of the land. That being so I should have the greatest pleasure in voting for the Second Reading of the Bill. But I believe that an Amendment will be moved on a matter of principle by an hon. Member on my own side of the House, and if this is done I shall be bound by my convictions to give that Amendment my best support. We have heard a great deal about the hardship which is inflicted on landowners, and it is evident that these pleas *ad misericordiam* will be used as a lever whereby to reduce the provision of two-thirds to a half, or even less. I think that those pleas are altogether unfounded in justice. Hon. Members argue as though tithe were an additional charge on top of rent. It is nothing of the kind. Tithe is a portion of the rent taken away from the landlord for purposes at present ecclesiastical, but I venture to predict that soon it will be applied to secular purposes. It should be set apart for national and public purposes, and I hold that hon. Members will be utterly untrue to their trust as defenders of the public interest if they give their consent to allow it to be diminished to any extent whatever. If it be said that the land cannot bear the burden, then I say, let the land be surrendered. We hear a good deal urged about the excessive amount of the tithe, but the cases referred to are exceptional. When the Commissioners fixed the amount of the tithe, as Lord Grey shows, they did not estimate what was the value of one-tenth of the gross produce of the best cultivated land; they took the parish as a whole, they ascertained the average amount of tithe yielded by the parish for the previous seven years, and apportioned the amount over the land in the parish. I say it is not fair to take extreme cases as instances of the way in which the system works. It was agreed in 1836 that the arrangement then come to should be a final settlement, and I contend that we have now no right to vary it. So strongly do I feel this that in Committee I shall oppose Clause 3. I know that the arrangement therein proposed is not intended to be permanent, but it will put money into the landlord's pocket, and it is unsatisfactory because it is a surrender of the nation's rights.

*(5.26.) MR. W. J. BEADEL (Essex, Chelmsford): It seems to me that the Government have opened up a very wide question, especially if, as the hon. Member who last spoke suggests, in case the land cannot bear the tithe, it is to be surrendered, and pay no rent to the landlord at all. Now, the Tithe Commutation Act of 1836 was passed for the purpose of making that which was an uncertainty into a fixed charge, subject only to septennial averages, and tithes have since been considered to be just as much a fixed charge on property as if a rent-charge had been left subject to the septennial prices of Consols. The tithe owner therefore felt that he had a certain sum fixed, so to speak, for ever, subject only to the septennial averages of wheat, barley, and oats. Hon. Members who have studied this question know that, so far as two of those cereals are concerned, the average is very nearly the same as in 1836. The whole of the depreciation in the value of tithe is owing to the fact that the average price of wheat has been so materially reduced. Hon. Members are not prepared to do that which is to the interest of the country, namely, see whether we cannot approximate the price of wheat somewhat nearer to that at which it stood in 1835. If we could

do that, there would be no necessity to bring in a Tithe Bill, and there would not be that terrible depreciation in the value of land which exists now, to say nothing of the desperate condition of the tenant farmers, still more the lamentable position of the agricultural labourers, whose wages are kept down because the land will not allow a fair return to be paid them for their labour. I would support a Bill which takes away from a tenant the payment of the rent-charge. For a great many years I have been professionally concerned in landed matters. I have always felt that the tithe rent-charge was a charge upon the land, and where I have acted for large estates, I have always paid it on the part of the landlord instead of permitting it to be collected from the tenant. Where the tithe was the support of the rector or vicar I did not think any man occupying the position of spiritual pastor of a parish, ought to be obliged to dun his parishioners in order to get his daily bread; therefore, any measure which will transfer the tithe from the tithe-payer, and make it a charge absolutely on land, meets with my hearty approval. I also think the change of recovery from distress to the County Court is right in principle. There is nothing so severe as the law of distress if exercised to its fullest extent. But not only that; if the tithe is a charge on the land, and a distress is issued on the tenant's goods, you are virtually distraining the goods of another. Therefore, for these reasons I shall support the Second Reading of the Bill.

*(5.32.) MR. F. S. STEVENSON (Suffolk, Eye): I shall not detain the House long, as the reasons which make a revision of tithe necessary have been explained very fully by my hon. Friend the Member for Saffron Walden (Mr. H. Gardner), and as it will be impossible, under the rules of the House, for me to move the Amendment I have placed on the Paper, I think it would be better to reserve what I have to say upon the Amendment until a later stage. I think hon. Members must have been struck with the change in the attitude of the hon. Member for the Maldon Division of Essex (Mr. Gray). Two Sessions ago the hon. Member took the initiative in moving an Amendment to the Tithe Bill, and in the Division which took place the Government majority was reduced to four. Last Session the hon. Member spoke in favour of the Instruction I moved on going in Committee in favour of an equitable revision of tithe; but he voted against the Instruction. Now, however, he proposes to support the Bill as a whole. He has put down one or two minor Amendments which he intends to move in Committee. For instance, he proposes to reduce what is described as the two-thirds of the annual value to one-half. The question which naturally suggests itself is whether a change has come over the hon. Member, or over the measure of the Government. It seems to me the change is rather with the hon. Member than with the measure. It is true there is nothing in this Bill about redemption, but the other portions of the measure very much resemble those of the measure of last year. There is novelty in the proposal that under certain circumstances when the tithe exceeds two-thirds of the annual value the tithe should be reduced by the amount by which it exceeds two-thirds of the annual value. In last year's Bill there was that somewhat objectionable special rateable value clause, but the proposal the Government now make does not appear to me to be at all satisfactory as compared with the amendment which the Attorney General proposed in the measure of the year before last, which was to the effect that the Court, on being satisfied by evidence of its justice, should make such order for the remission of part of the sum claimed as should prevent the total sum of the tithe rent-charge from exceeding the annual sum or what in the circumstances of the case might reasonably be taken to be the net profit of the land. That proposal appears to be very much fairer to the tithepayer than the proposal of this year. The President of the Board of Trade referred to the Commission which he proposes should be appointed to deal with the question of redemption, and the hon. Member for Maldon described that Commission as a bird in the hand. Is it intended that the Commission shall deal simply and solely with the subject of redemption, because, if so, I entirely fail to see how it can benefit either the tenant-farmers, or the yeomen farmers, or the rest of the agricultural community as far as their immediate needs are con-

cerned. But if the Commission is to deal with other subjects in addition to that of tithe redemption, I think we are entitled to hear a little more on the subject that what was stated at the commencement of the Debate. Will the question of corn averages come within the powers of the Commission?

*SIR M. HICKS BEACH: I simply referred to redemption.

*MR. F. S. STEVENSON: Then I think the bird is a very insignificant one. What has been urged again and again on this side, and I think also by hon. Members who sit behind the present Ministry, is that one of the greatest grievances in connection with this question is the grievance surrounding corn averages. Is that question going to be dealt with at all by Her Majesty's Government, either by reference to the Commission or in any other form, because, if not, we have a right to do our best to incorporate provisions in that direction in the present measure. There are very grave and serious questions connected with the matter of corn averages. For example, that which is set down as the average price of corn is not the actual price which the farmer gets for corn, because regard is not paid to the numerous sales and re-sales of corn which take place, or to the fact that the farmers only sell their best corn. We have been twitted by the President of the Board of Trade and also by the hon. Member for Leicester (Mr. Picton) with a desire to reduce the tithe as a whole, to impair the *corpus* of the tithe. There is no desire to impair the *corpus* of tithe, but there is a sincere desire to minimise as far as possible the grievances that are common to so many agricultural classes. I believe there is the strongest desire in every quarter of the House to preserve, as regards the principle of it, what is at the present time national property devoted to Church uses, and what may, under a different set of circumstances, be national property devoted to other than Church uses. It seems to me to be somewhat shortsighted on the part of those who advocate the maintenance of the tithe at its existing figure from the point of view of the Church revenues, and also on the part of those who advocate the maintenance of tithe at its present figure on behalf of those upon whom the tithe may eventually be bestowed to resist the proposed amendment. If the property is national property surely that is no reason why certain people who have to pay tithe should be unjustly treated. The contrary view must be the correct one. If the grievances are removed the property as a whole will be rendered more secure in the long run. The hon. Member for Saffron Walden referred to what he called the extreme views of certain tithepayers. I think he said there were certain persons who declared that tithe was merely one-tenth part of the prairie value. I do not suppose that there is any hon. Member who will countenance that view, but so far as principle is concerned there is a good deal to be said for that view. Tithe is the tenth part of that which is the gift of nature, and no doubt in its origination it was intended that one-tenth part of what was the gift of nature should be bestowed as an act of gratitude. That was, of course, in a day when agriculture was not based to the extent to which it is now on the widespread application of capital. In the days before the introduction of agricultural machinery and artificial manures, and manures based on the use of artificial food, there was in principle a good deal to be urged in favour of that extreme view. We, of course, take a totally different view. We take up our position on the Tithe Commutation Act of 1836, but we say that that Act did not contemplate the new conditions of agriculture; it did not take into account the necessity for making a different use of the system of corn averages. That system was in force at the time, and was adopted by the framers of the Act. We have been able during the last 50 years to see what the operation of the Act has been, and surely in face of the depression of agriculture and of the great injury done to a great class in the community, it is high time we should adopt some more stringent method of dealing with this great national question. Reference has been made to what was the opinion of Joseph Hume in 1836. Joseph Hume expressed the view that the Tithe Commutation Act was rather in favour of the tithe owner than of the tithepayer. I should like before I sit down to refer to one matter on which it would be desirable to obtain one or two words of explanation. I want to know what is the method of application to the County Court. As I read Clause 3 no remission can be granted to a tenant unless proceedings have been previously taken in the County Court. No automatic procedure is provided by the clause. There is also another point on which some explanation appears to be desirable. The President of the Local Government Board has told us that there is no personal liability involved in the Bill, but I should like the Attorney General to say whether it would be possible to construe Sub-section 3, Clause 2, into an admission of personal liability. As it will not be possible for me to move my Amendment, inasmuch as no Division can take place upon it, I shall content myself with taking such steps later on as may tend in the direction the hon. Member for Saffron Walden (Mr. H. Gardner) has alluded to. The appointment of a Commission to deal with the question of redemption would perhaps postpone the settlement of the matter till a very distant period. The Commission would take a long time in reporting, and even after it had reported there would still be the question of corn averages to be dealt with. I do not feel prepared under the circumstances I have alluded to, to give the Bill the support which under other circumstances I should be only too glad to afford to it.

*(5.53.) Sir W. BARTTELOT (Sussex, N.W.): I think no one who has considered the difficulties of the tithe question will refuse to admit that any Government attempting to deal with a question of this complicated nature must have a vast number of opinions expressed and many of them adverse to their proposals, but I believe Her Majesty's Government have made a fair and honest endeavour, after considering the opinions expressed in all parts of the House, to secure the settlement of an important part of this very difficult question. As to the remarks of my hon. Friend the Member for Chelmsford (Mr. W. J. Beadel), we must not forget that the tithe was originally one-tenth of the produce of the land. I feel certain my hon. Friend will not deny that if the old system had been maintained till the present day, there are large tracts of country in England which would have really paid little or no tithe at all. In 1835, when the Poor Law Act was passed, the burden was something like 10s., 11s., or 12s. in the £1. Since that Act came into force, however, it has sunk to something like 2s. 6d. or 2s., or even less in the £1. The tithe owner got the full benefit of the reduction, as the calculation on the enormously higher charges for the seven preceding years was made. In 1845 came Free Trade, which is admitted by a large proportion of Members of this House to have been a great benefit and a great blessing to the country. The price of wheat has, however, gone down immensely. I think if the hon. Member for Leicester (Mr. Picton) were a large land-owner he would take a very different view of the question from that which he has stated. I appeal to him as a fair man, and I venture to say if he considers the question from the point of view of fairness and justice, he will not be in favour of exacting the last farthing from the owners of a certain class of land which is hardly capable of paying anything. Those who are conversant with the way in which the commutation took place, will know how much fairer it was to some parishes than to others, not from the fault of the Commissioners, but from the fault of the people themselves. I know a parish where the clergyman of that day was a remarkably shrewd and intelligent man, and he took down the exact amount of tithe he collected from each farm, so that when the Commutation Act came into force he was able to show that so much had been collected from the various farms. The tenants had not taken the trouble to put into writing what had been taken from the farms, and naturally the clergyman got the best of the bargain, and obtained more tithe than the land had a right to bear. I merely mention this as an absolute fact, although I am not urging the reopening of the whole of this very grave question. But I wish to point out it is necessary to deal leniently with certain classes of poor land that under no circumstances are able to pay a heavy tithe. The hon. Member for Leicester (Mr. Picton) has taken one view, but the right hon. Gentleman the Member for Wolverhampton (Mr. H. H. Forster) took another view. In the debate which took place in the early part of this year

he pointed out as clearly as any man could from the falling-off shown in the Returns of the value of agricultural land that this land has very largely depreciated from its value a few years ago. When tithe was 12 per cent. above par, tenant-farmers and others paid the charge. I do not say they paid it with alacrity, but they paid it because they were making a good profit out of the land and were able to pay the full tithe. But now that tithe is 23 per cent. below par—not as my hon. Friend the Member for Shropshire said that it has fallen 35 per cent. below—he takes the figures from the highest to the lowest, whereas he should have taken the fall from par. Now, I say, when tithe is 23 per cent. below, people are less able to pay tithe than when it was 12 per cent. above par. I am sorry I did not hear the earlier part of the speech of my right hon. Friend (Sir Michael Hicks Beach). No man understands the subject better than he does, and few have suffered more than he has from the bad times. In that part of his able speech I did hear, he did give us some hope that in regard to a certain quantity of land that does not pay its way—is not able to pay tithe on its produce—the Government are prepared to consider the position of this class of land. My hon. Friend the Member for Maldon (Mr. C. W. Gray) has stated that he intends in this connexion to substitute "one-half" for "two-thirds," and I venture to hope my right hon. Friend will give this proposal a fair and candid consideration. I echo what the hon. Gentleman the Member for Eye (Mr. F. Stevenson) said. I hope there will be no mistake about the question of personal liability. I have asked the question before, and my hon. and learned Friend the Attorney General gave me that assurance which I believe he will again give to the hon. Member, that there is to be no personal liability. That was a question settled by the Act of 1836, and I feel sure that my right hon. Friend will not depart from that settlement. There is one other question—that of redemption, I may say this much, that, while I agree to a certain extent that in certain instances re-valuation might be necessary, yet the question is such a large and such a grave one that you cannot expect Her Majesty's Government now to enter into it. With regard to redemption it is different. I will venture to say there is no man having the welfare of the English agriculturist at heart who does not believe that every burden that can be taken off the land should be removed. The way to that is by a fair, reasonable and just scheme of redemption between tithe owner and tithepayer. I hope the Chancellor of the Exchequer, with that liberality for which we have to thank him as applied to local rates, will find it in his heart and in the interest of the country in dealing with this question to be a little more liberal than the proposals suggested last year. It is a question undoubtedly of paramount importance—it is the only way to settle this grave and complex question. I will only venture to say in conclusion that I am sure my right hon. Friend has again taken this Bill in hand with the full intention of pushing it through, and I am equally sure he will give fair consideration to all fair and reasonable suggestions made in Committee. I hope the Government, having for the fifth time brought a Tithe Bill forward, will not be satisfied until it is passed with such Amendments as may be found necessary. It would be discreditable to the Government if this should not be so, it is demanded in the interests of tithe owners and tithepayers. Though I do not care very much for some parts of the Bill, yet I believe it will effect a necessary settlement in some parts of the country, and I heartily support the Second Reading of the Bill.

*(6.8.) MR. STUART RENDEL (Montgomeryshire): I rise to move the Amendment of which I have given notice, and I have reason to believe that the Amendment commands the support of something like seven-eighths of the Welsh Representatives. The right hon. Gentleman has treated this particular Amendment as having only an indirect bearing on the Bill before the House, but I think the House will admit it has a direct bearing on it from the Welsh point of view. And as the Bill is essentially a Welsh Bill, and is most distinctly aimed at Wales, I hope the House will extend some forbearance to Welsh Members who desire to state their case against the Bill. One must begin by making a hackneyed statement and reminding the

House that the Welsh are essentially a law-abiding people. How is it that the Welsh people, who have proved a law-abiding people for so long, are the cause of this exceptional measure standing in the forefront of the Government programme, and being brought again and again before the House? Have there been any facts of sufficient solidity to show that upon this question of tithe the Welsh people, who by the tradition of centuries claim the character of a law-abiding people, to-day furnish the necessity and argument for this Bill? If the House will bear with me for a moment, I would remind hon. Members that the right hon. Gentleman put the case for the Bill on the resistance to the payment of tithe and scenes of disgraceful violence in the Principality. Well, if these scenes have occurred in rare cases over a very considerable period of time, it is quite clear that any disorder among a few irresponsible persons has been met by the force the law has at its command, and I do not believe that it is possible to show from any but a partisan view any necessity for this measure from this cause, and this will be clear the moment the Government take measures to procure independent and judicial evidence. The Government will find then that the case is against them. I appeal to the Attorney General, through whom, at a very early stage, an eminent, able magistrate, Sir John Bridge, was sent into Wales in connection with these matters. It will be within the recollection of the hon. and learned Gentleman that the Report of Sir John Bridge was of the most reassuring character. Thirty-one unfortunate men had been committed for trial for a breach of the peace, and he advised the Crown not to press the charge against three-fourths of these, and the remainder were let off with a trivial fine of half-a-crown. Then I may mention a still more eminent judicial authority—Mr. Justice Field—and I would cite his testimony, as it appears in the report of his charge to the Grand Jury at the Assizes in North Wales, in the summer of 1889. It is a long way back, but there has been no disturbance since worth much notice. Mr. Justice Field said he was glad to find that there was almost a total absence of crime in the country, and he was happy to see that by a mixture of firmness, conciliation, and good sense, the majority of those who had refused to pay tithe had come round to payment, and that only a small remnant indeed refused obstinately to obey the law. Though the tithe might be in some cases a heavy burden, it must be met by representations to the Legislature and the Executive. Then the Judge went on to express approval of the course taken in Montgomeryshire and followed in other counties. This is independent, judicial, and impartial evidence, and I think it should be met by something more than partisan evidence on the other side. How is it that these disturbances arose at the outset? They began at the lowest water-mark of agricultural depression, and among a set of farmers who had been diligently taught that tithes were among the other burdens on the land which the Government of the farmers' friends proposed to lighten. They really believed that the tithes were as liable to reasonable abatement in bad times as rent. I think Mr. Justice Field's words gave support for that belief. They asked for an abatement from such bodies as Christchurch College and from the Ecclesiastical Commissioners, and this request the Commissioners and the Christchurch College Authorities thought it their duty to resist. Can we wonder that feeling should have run high in such a case as that of the Ecclesiastical Commissiouers? Their position is this: they draw large sums in tithe from the Principality, and they are also large land owners; they took credit for the fact that as land owners they were making an abatement of 12½ per cent. on the rent, but they refused any abatement on the tithe on the ground that they gave more tithe to Wales than they took from the Principality. Now, a very little consideration will show that this was adding insult to injury, because the extra tithe so given was a subsidy to a Church Establishment not supported by the people, not in sympathy with the people, and therefore the Welsh people had all the stronger inducement to make their lawful protest against the payment of this particular tithe, which they did. This it is that constitutes the case for the Bill —this opposition in these particular cases, opposition of an exceptional origin, of a very scattered character, which after all has shown no symptoms of rising to a serious point, and might now be treated as practically obsolete. But the right hon. Gentleman regards the Amendment which the Welsh Members were desirous of submitting to the House as not germane to the Bill, on the ground that the question whether tithe is national property, does not arise out of anything in the Bill. I can hardly understand how that can be maintained, because it would seem that unless tithe be regarded as public property, this Bill would be an extremely bold and audacious interference with private property. I can hardly understand under what constitutional title except that of tithe being national property it is competent for Parliament to remit a portion of the tithe, as proposed in the third clause. I should have thought all the many dealings with tithe by Parliament—I think the right hon. Gentleman mentioned there had been 14 such dealings—I should have thought these were all based on the admitted fact that tithe is national property, and I could hardly have supposed any other contention could be urged. The dealings, too, have been, it appears, generally or universally in the interest of tithe owners. Well, such one-sided legislation which even goes to the extent of of extinguishing a portion of the tithe could certainly only be founded on the principle that tithe is admitted to be national property. Talk of remission of the tithe! Surely that is a very strong step to take on the part of those who have been using such hard words to Welshmen on the subject. We have been told we are sacrilegious robbers, that we are attacking the Ark of God in this matter: all the bitterness of the *odium theologicum* has been directed against us. I make bold to say there are no better friends to the property in tithe in the House of Commons than the Welsh members who now object to this Bill. They are genuine friends to property in tithe; and if it is supposed that this is an attempt to foist in indirectly a disestablishment debate on the House, I can assure the Government that the view of Welshmen is that we should proceed to disestablishment not by way of disendowment, but to disendowment by way of disestablishment. Whatever be the fate of the Motion, we shall not be deterred from taking the course we pursued when a Bill of this nature—I admit a much more objectionable Bill—was before the House last Session. We shall move a preamble to the Bill. We believe that the essential foundation of a Bill of this kind is that it is national property, and that this property is at the disposal of Parliament. Having established that principle, we shall not rest contented until we have realised our hopes and developed the constitutional position of Wales and her claims on this property. We maintain you must first give us an equitable position in the application of tithe before you attempt to tighten the grip and to police the property, before you deeply wound the feelings of a religious people with a measure of this coercive kind. Welshmen believe this a most mischievous measure, and we do not believe it will in any degree remove any of the difficulties with which the collection of tithe is now accompanied. We are satisfied it will aggravate the religious position, and increase the social schism in the Principality. You are making the Welsh clergy more than ever the exclusive chaplains of the squires, driving them into a mischievous class association with the English-speaking and the larger landowners, as opposed to the people, and this cannot help forward the interests of religious or social progress. We think you are running a risk in another direction. There are, happily in Wales a very large number of freehold occupiers, yeomen, the strength and backbone of the population, a part of the population which all friends to the Principality desire to encourage and protect. Their interests will suffer most under this Bill. But besides taking a part that will go far to increase our religious and social difficulties, we feel that you are extending those difficulties to the agrarian condition of Wales, and Wales is primarily an agricultural country. Statesmen should observe this beginning of danger, this new source of trouble between landlord and tenant. With these views I press my Amendment, and hope a Division will be taken.

Amendment proposed,

To leave out from the word "That," to the end of the Question, in order to add the words "no measure dealing with Tithe Rent-Charge will be satisfactory to the people of Wales which does not recognise the fact that Tithes are National property, to be devoted to National purposes, and that the Tithe rent-charge in Wales ought to be applied in accordance with the constitutionally expressed wishes of the people of the Principality,"—(*Mr. Stuart Rendel,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

*(6.27.) Mr. G. OSBORNE MORGAN (Denbighshire, E.): In seconding the Amendment I will first say that I think the Government would have acted more wisely and fairly if they had allowed more time to intervene before the Second Reading stage. It was not in accordance with the usual practice that the right hon. Gentleman the President of the Board of Trade said not a word on introducing the Bill, and the Bill only reached us last Friday, so that there has been no opportunity of consulting our constituents or inviting an expression of popular opinion. Of course if the Bill were the old Bill reintroduced I could understand this proceeding, but the Bill from beginning to end is a new Bill. Under the circumstances I can understand that my hon. Friends who represent English agricultural constituencies regard the Bill as a crude and unsatisfactory measure. But I approach the Bill simply as a Welsh Member and from a Welsh standpoint, for it was admitted by the right hon. Gentleman that the origin of the Bill was due to the scenes in Wales. It is, in fact, a Bill to set the Welsh Church on its legs by setting Welsh landlords and tenants by the ears. Now, I do not think that the Bill will be more effectual for putting the Church of England in Wales on its legs, because it makes the landlords collectors of tithes for the clergy. I am not, however, going into a Disestablishment Debate, which more properly belongs to the Motion my hon. Friend the Member for Swansea intends to bring forward; but, as Member for the county which has been specially attacked—Denbighshire—I must enter my protest against the calumnies uttered against it. The right hon. Gentleman says the Bill has been rendered necessary by certain deplorable acts of violence in Wales, and it is said that this is the only justification for the Bill? Now, I agree with the hon. Member behind me that all these stories have been either grossly exaggerated or are entirely without foundation. The Welsh people are justly proud of the immunity of their country from crime, and I will call the attention of the House to what was recently said by Mr. Justice Vaughan Williams with regard to the small amount of crime in Wales. He remarked upon the fact that at three assizes in Welsh Counties there was only one prisoner for trial—a circumstance to which I should think it would be very hard to find a parallel in England. Moreover, the annals of crime in Wales show that the amount of crime there in proportion to the population is one-half what it is in England, and that the greater part of that crime is really imported from other countries, and yet in spite of all this we find these gross attacks made on the character of the people. We find them charged with the basest and meanest conduct, and there is no epithet too strong for the English Press to apply to them. I will give an instance to show how baseless are their charges. The Bishop of St. Asaph three months ago brought a most offensive charge against certain leading members of the important body of Welsh Calvinistic Methodists. He was reported to have said that at some tithe distraints a mock celebration of Holy Communion was actually carried out by a deacon of that body. The Bishop afterwards corrected this, and said that it had been done in the presence, and apparently with the sanction, of a deacon of that Church, but, though challenged by Major Godfrey, Chief Constable of Montgomeryshire, and myself, and many others, to give names and dates, he has never done so. If charges of this kind are to be made they ought to be proved; if not true, it is disgraceful that they should be made. With regard to the Amendment on the Paper, which I have the honour to second, it exactly defines the position of the Welsh people with regard to tithe. It begins by saying that tithes are natural property. I should have thought that that is almost a

truism. Now, I am going to quote what to my mind is one of the highest, if not the highest, authority in the House on this subject. The words I am about to read were spoken by the right hon. Gentleman the Member for Mid Lothian in the Debate on the Irish Church Bill. On March 23rd, 1869, he said—

> "It was for the nation that the property was given. It is true it was given to corporations. Yes; but why? Not that they might enjoy it as private property, but that they might hold it on condition of duty. They were only convenient symbols—convenient media for its conveyance from generation to generation. The real meaning, scope, and object was that through them it should be applied for all time to the benefit of the entire population of the kingdom, and this was a natural and intelligent arrangement when the entire nation was of one faith. In proportion as Dissent and difference of opinion creep into the country, the foundation of the religious Establishment so endowed comes to be by degrees more or less weakened and impaired, partly in proportion as the number of Dissenters is strong, partly in proportion as they are disposed, or not disposed, to acquiesce in the continuance of the Establishment."

Now, I ask, how are you going to ascertain whether the Nonconformists in the Principality are, or are not, disposed to acquiesce in the existence of the Establishment? I say there is only one test—namely, that adopted by the right hon. Gentleman the Member for Mid Lothian three or four months ago, in speaking on the question of Scotch Disestablishment. He said—

> "My point is this—not only that the opinion of the Constitutional Representatives of Scotland is in favour of Disestablishment, but that it is increasingly in favour of it—that there is a regular and steady movement in Scotland, the evidence of which cannot be mistaken, all tending in the same direction."

What was that evidence? Why, in 1886 there were 24 Scotch Representatives in favour of the Disestablishment of the Church in Scotland and 16 against; in 1888 there were 40 for it and 20 against it, and in 1889 the numbers were 38 to 18, or, roughly speaking, two to one. What is the case in regard to Disestablishment in Wales? People say the cause of Welsh Disestablishment is not progressing, and I should like to apply the test of the right hon. Gentleman the Member for Mid Lothian to the question whether this is true or not. I am old enough to remember when Mr. Watkin Williams brought forward his Motion for Disestablishment 20 years ago. Only five Welsh Members were then found to support the Motion, whilst 13 voted against it, and 11 did not put in an appearance. In 1886 the numbers were 24 to 4, and what is the case now? Why, we have 27 Welsh Members out of 30—9 out of 10—pledged to support the Motion of my hon. Friend near me. Apply another test, which the right hon. Gentleman the Member for Mid Lothian applied to the case of Scotland. Speaking of the bye-elections, the right hon. Gentleman pointed out that since the General Election there had been 14 bye-elections in Scotland, and that, of the Members elected, 11 had been for Disestablishment and 3 against. In Wales we have have had six bye-elections, and in every case the Member returned has been favourable to Disestablishment. Can there be any doubt, then, as to what is the "constitutionally-expressed opinion" of the people of Wales? To go back for a moment to the position of the Welsh people, I would say it is not surprising to find them doing just what the Quakers did in the case of the church rates, some 30 years ago, and saying, when asked for tithe, "You must come and take it if you can." I maintain that they are not only morally but legally justified in taking up that position; of course, I am not speaking of cases of violence, which everybody deplores. Mr. Justice Wills, in a charge to a grand jury at Beaumaris on the 22nd February, 1888, said—

> "If the people said they were unwilling to pay for what they did not like, and that they simply submitted to distraints to show their protest against the law, they would be perfectly justified in doing so. As long as they did that nothing could be said against them. This was the course which had been systematically carried out by law teachers."

I think that course a very natural one for the Welsh farmers to pursue, so long as they find that Parliament turns a deaf ear to their appeals. I see the right hon. Gentleman the Postmaster General (Mr. Raikes) taking notes. I admit, of course, that all violence is illegal, but I leave the right hon. Gentleman to answer this extract from the charge of Mr. Justice Wills, which I have just laid before the House. In the county of Montgomery, thanks in a great measure to the tact and judgment of the Chief Constable (Major Godfrey), there has been no violence. Unfortunately that has not been the case in the county I represent, but I cannot help thinking that whatever disturbances have occurred have been largely due to the way in which the tithe has been collected. I have said again and again, and have been much-abused for it, that the sending down of a regiment of hussars nominally to protect the tithe collectors was a great mistake. But I will not say more on the subject, as I believe the matter is being considered by the County Council of Denbighshire, and is, so to speak, *sub judice.* As to whether the Church in Wales should be disestablished or not, I may say that I have here the opinion of another great leader. This is what the noble Lord the Member for Rossendale (the Marquess of Hartington), the then leader of the Liberal Party, said—

> "When Scotch opinion, even Scotch Liberal opinion, is fully formed on the subject, then the Liberal Party as a whole will be prepared to deal with the question on its merits, and without reference to any other question."

The opinion of the right hon. Gentleman the Member for Mid Lothian, supported as it is by the noble Lord the Member for Rossendale, expresses the views of the whole of the Liberal side of the House on this question. As I say, I regret that violence has occurred in Denbighshire, but will this Bill remedy the evil? I believe that, so far from remedying it, it will only increase the irritation. From the second clause of the Bill it will be seen that before any step can be taken by the tithe owner for the purpose of recovering his tithe he will have to go to the County Court. There will, in my opinion, be demonstrations when the tithe owner brings his case before the Court in order to obtain his tithe; for if there is one thing more than another which the Welsh farmer has a horror of it is the County Court, and if there is one thing more than another that is likely to embitter the relations between a Welsh parishioner and his vicar, it will be the thought that the vicar can drag the parishioner before the County Court to compel the payment of tithe. It is said that it will not be the parson who will have recourse to the County Court. That may be so technically, but in the end the result will be the same. When the tithe owner has got his judgment or order there are two processes provided by the Bill. If the owner is also the occupier, an officer of the Court, who, I suppose, will be the bailiff, is to have the powers for the recovery of the sum that are conferred by the Tithe Acts on the owner of the tithe rent-charge for the recovery of arrears of the rent-charge. Thus he will be placed in exactly the same position which he occupies at present, except that the order will be carried out by an officer of the Court. What is gained by having a double judicial process, except that there will be two opportunities for the display of hostility to the parson?—for there is, first of all, the process of obtaining judgment, and then there is the placing of the tithepayer in the position he at present occupies in the matter of recovery. Coming down to the House just now I was asked by a friend, "You are not going to oppose this Bill?" I replied that I intended to oppose it, whereupon he said "Why do that? It will serve to create even stronger ill-feeling against the clergy, and in that way will precipitate disestablishment." In the case where the owner is not the tithepayer you will have a receiver and that will add enormously to the cost of recovery. It is said that this measure transfers the liability from the occupier, who is generally a Nonconformist, to the owner, who is generally a Churchman, and that it will be found more easy to get the tithe from the owner than the occupier. That leaves out of sight the fact that an enormously increasing number of people in Wales are both owners and occupiers. There is an immense number of small occupying owners in Wales, and these are the men of whom you have to think in regard to this Bill. But I do not find any very great disposition on the part of Churchmen, who are owners, to contribute to the maintenance of their own clergy. It is shown in a pamphlet, which I hold in my hand, that in 1879 in the dioceses of Bangor, St. Asaph and Llandaff, the sum received in tithes amounted to over £101,000, whilst the voluntary offerings amounted to only £4,738—so that for every £1 an incumbent received from the tithe he obtained something like 10d. from his own congregation. No doubt large sums were contributed by these congregations for other purposes, but the fact that voluntary offerings should have sunk so low at a time when the clergy were in the direst need, and when the Bishop of St. Asaph was making an appeal to the English to support them, shows that Welsh laymen do not set a very high value upon the maintenance of their clergy. A great Conservative Congress was held at Rhyl last year, and an address was delivered by the noble Lord the First Lord of the Admiralty (Lord G. Hamilton). The meeting was preceded by a conference, at which one gentleman said that—

> "In Wales Conservatives and Liberals were united, not in an objection to the payment of tithes, but in an objection to paying them to the present recipients."

I may say that this is really the whole of the Bill. After about four years' incubation this is the Bill that is brought forth by the Conservative Party. We on this side are willing to wait. We know that Welsh Disestablishment has now been adopted as a plank in the platform of the great Liberal Party. But what are we to say of a Government which, after five attempts to deal with the question, produces a measure of which the very best that can be said is that it combines the maximum of irritation with the minmum of efficiency?

*(6.56.) COLONEL CORNWALLIS WEST (Denbigh, W.): I do not intend to follow my right hon. Friend through the rather discursive speech he has just addressed to the House. I am rather inclined to make no reference whatever to the question of the Disestablishment of the Welsh Church, not because I do not realise the fact that a large proportion of the Welsh people are in favour of Disestablishment, but because I cannot see how it is possible to import into a Bill of this character any such large question as that of Disestablishment. This Bill is required, to a considerable extent, to put an end to a condition of things which has brought disgrace on the Principality. Where my right hon. Friends were during the months of August and September this year I do not know. All I can say is that I was residing in Wales, and that within a very few miles of my house serious disturbances took place. I was not actually present, but saw the magistrates on their return from one of the distraint sales, and had an opportunity of hearing from their own lips exactly what took place. They were honourable gentlemen, and men who were not likely to exaggerate, and they led me to believe that which I now most distinctly state, namely, that unless the military had accompanied them to the distraint sale there would have been not only a serious riot but bloodshed. It is no use minimising facts. The fact is that the Welsh people have been stirred up by a society called the Anti-tithe League until they consider it obligatory to assemble in large numbers in order to assist the farmers in their protest against the payment of tithes. If they had simply protested and acted in a peaceable way as the Quakers did I should have nothing to say to it. They have their own conscientious, religious views, and I think they would have been justified from their own point of view. But when the Anti-tithe League insisted on large crowds assembling to the distress of every right-minded man in the neighbourhood, it is really ridiculous to tell us it was wrong to summon the military or to take such steps as were necessary for the aid of the civil power. I know what great difficulty there is in convincing many of my hon. Friends that the Welsh people—law-abiding as they are—could have been in such a state of excitement as to warrant the calling out of troops. I can only say that I believe the Chief Constable, upon whom we have heard animadversions this evening, is a man of discretion and judgment, and that what he did in advising the magistrates to summon the military was no more than his duty, and what he was bound to do. When that officer is compared with another Chief Constable in a different part of the Principality it must be remembered that the Chief Constable in Denbighshire is in a very different position. Mr. Gee is at the present moment actually sitting on an Inquiry instituted at the instigation of the Joint Police Committee under a protest from the minority; but, at any rate, there is an inquiry going on which is of a most unsatisfactory character. The Chairman, the Treasurer, the President, and several members of the Anti-tithe League are now actually conducting an inquiry into

the necessity of calling out the military some four or five months ago, and they will, probably, report that there was no occasion for the course then adopted. From all I have seen in the Press and heard about the matter, I think it will be clearly shown that there was occasion for the step thus taken, and that the justices were not in the wrong in having called out the military. Indeed, I think they did the best thing they could have done when, acting under the advice of the Chief Constable, they summoned a troop of hussars, whose presence enabled them to ensure the collection of tithes in a peaceable way. I am a landowner myself, and I have friends in the same position who have told me what I believe to be the case, namely, that the Welsh tenant-farmers will be only too thankful when this question has been set at rest by directing payment of the tithes by the landlords instead of as at present by the occupiers. I, therefore, look upon this Bill as a means of preventing in the future the sort of friction which has taken place in the past, consequent to a certain extent on the conscientious convictions, and to a certain extent also on the great ignorance, of the tenant-farmers as to the payment of tithes. I do sincerely think there are many who believed that by protesting in the way they did against the payment of tithes, that payment would altogether cease. When they discovered that it was the desire of everybody to make the payment still more secure, and that they would have to pay under any circumstances, things quieted down, so that at the present moment, in the greater part of the Principality, the tithe is being collected with comparative ease. Although this is undoubtedly the fact, it is, at the same time, perfectly true that within the last four months there have been very serious disturbances in the Principality arising out of this question. With regard to the Bill before the House, I must confess that personally I am disappointed that it has not been found possible to persevere with the Redemption Clauses of the old Bill, because I believe they would have effected one of the most valuable changes that could be brought about, inasmuch as there are, at the present moment in Wales, a large number of freeholders whom this Bill will not touch. It would, I think, be a most desirable thing, in order to put a stop to the trouble we have lately been in, that a measure of tithe redemption should be introduced. I may as well add that, not only has there been great indisposition as to the payment of tithes to the ecclesiastical owners, but also a very strong indisposition to pay tithe at all, either to schools, charities, or to any other institution. And it is the opinion of almost everybody connected with the schools and charities in Wales that, if the tithe agitation had gone on for any great length of time, the probability is that the property in tithes in Wales would have entirely lapsed and been lost to the people. We look forward, at least some of us look forward—for I do not say that individually I should care to see the whole of the tithes diverted from the uses to which they are now put—but at any rate there is a strong feeling in the Principality in favour of using the tithes for some really national purpose. Whenever that time does come, we shall have the property intact, whereas, if this kind of agitation does go on a little longer, my firm conviction is, notwithstanding what has been said by other hon. Members, that this property in tithes would be seriously jeopardized, if not lost altogether, so far as the Principality is concerned.

*(7.21.) MR. ABEL THOMAS (Carmarthen, E.): I cannot endorse the views of the hon. Member who has just sat down, and should be sorry to think that the views he has enunciated were in any way a reflection of the views held by my constituents or the people of that part of Wales from which I come. I am glad to be able to inform the hon. Member that the Anti-tithe League, as far as South Wales is concerned, has practically not had very much life in the matter of the collection of tithes. It has never interfered with the collection of tithes in any way, and I challenge any hon. Member to show a single instance in which there has been any commotion arising out of the collection of tithes where the Anti-Tithe League have interfered. The only reason why there has been any commotion at all in regard to the collection of tithe is that among the Welsh people there is, and always has been, a wide-spread feeling of dissatisfaction at being compelled to pay tithe for the support of a Church the doctrines

of which they do not approve. It has been said by the hon. Member who has just spoken that the collection of tithe in Wales has now become easy, and if he be right, as I sincerely hope he is, and if the Government accept his view of the case, then I say the whole groundwork on which this Bill is based is completely cut away. It seems to me that the main reason for bringing forward this Bill during the present Session is the discontent that exists in the Principality, and nothing else. It has been introduced because of the riotous proceedings that have taken place in Wales where the tithe has been compulsorily collected, and I trust that the hon. Member who has just addressed us will concur with nearly the whole of the Members for the Principality in voting against the Government on this measure. I am not going to follow the hon. Member for Montgomeryshire (Mr. S. Rendel) in the reasons he has assigned for believing the tithe to be national property. It seems to me that after what he and the right hon. Member for East Denbighshire (Mr. G. O. Morgan) has said, our opinions on this side of the House have been fully ventilated. We have also had the opinion of the Member for West Denbighshire (Mr. C. West) in our favour, because he believes that the tithe is the property of the nation. Assuming that that is the case, I really cannot see how the Government can possibly do anything except bring in such a Bill as is suggested by the Amendment of my hon. Friend (Mr. Rendel), recognising the fact that the tithes belong to the nation. If the tithes be national property, it should most certainly be used for national purposes, and it may be that it is, to some extent, being used for national purposes in England. That, however, does not concern my argument to-night. It is very certain that the tithe is not being used at the present moment for national purposes in Wales. The Church of England is not the National Church in Wales at any rate, and I think I am far below the mark when I say that notwithstanding all the taunts which have been made with regard to the relative numbers of Nonconformists and Churchmen in the Principality, there can be no doubt whatever that there are at least three Nonconformists to every Churchman. I do not think anyone will be prepared to challenge this statement, namely, that three out of every four persons in Wales are Nonconformists, and not Churchmen. [*Cries of* "No!" *and* "More!"] I am satisfied with the three to one, and I will go a step further. The way in which even so large a number of Churchmen is got at is by taking the towns into consideration. The strength of the Church in Wales is not in the country districts, but in the towns. Wherever you go into the Welsh speaking districts of the Principality, you will find the strength of the Church Party lies in the towns, and that in the rural districts the Church is nowhere in point of numbers. The reason I mention this is because tithe is not paid in the towns, whereas it is exacted in the country. This measure is one which will affect not the people living in the towns, but those residing in the country, and I submit that in the rural districts of Wales there are close upon six tithepayers attending Chapel to one attending Church. If the tithe be intended for national purposes, it should be devoted to the good of the six rather than for the benefit of the one, say for purposes of education, and objects of that kind, certainly not for the teaching of doctrines which to the Nonconformists appear to be entirely wrong. The only other point on which I wish to say a word in regard to this part of the controversy is this: we in Wales have shown our discontent with the present state of things. In scores of parishes in Wales the tithes are collected in places where no service is held in the parish church, or where the parish church is in ruins and there is not a single inhabitant attending the Church Service. In hundreds of instances, out of 200 or 300 inhabitants of the parish, there are only six or seven who attend the so-called National Church, so that you have property belonging to the nation being devoted to the benefit of a very small portion of the people against the direct wishes of the vast majority of the population. We are told that there should be no riots in the collection of tithes and no discontent on the part of the Welsh people, and I quite agree that whenever there is a case of assaulting a bailiff and other officers sent to collect the tithe it is a sad thing that such proceedings should take place, We know that these things do happen occasionally; but let me put this question: Suppose that instead of being paid to the National Church the tithe were paid to the Baptist denomination, and the farmers paying the tithe were all Churchmen, what would Churchmen generally say under such circumstances? I venture to think that there would be even more discontent, and that that discontent would be exhibited in a more striking way than it is at the present moment. It is of no use tinkering with this measure. You are only hiding your heads in the sand. You are now only putting a buffer between the clergyman and the tithepayer. The tenant knows perfectly well that in consequence of the Commutation Act his sheaf of corn will still go, although it will be paid to the landlord instead of the tenant. Do you imagine that, because the tithe is no longer paid to the clergyman but to the landlord, that you are going to satisfy a rational or thinking people? It seems to me absurd. You cannot satisfy them in that way. The only way to satisfy them is to nationalise the tithe, and apply it for the benefit of the people at large. I am sure we have behind us the vast majority of our constituents supporting us in voting for this Amendment, and I trust that in time both sides of the House will be found insisting in devoting the tithe to the purposes to which it should have been applied many years ago.

*(7.17.) MR. BYRON REED (Bradford, E.): Sir, had it not been for the speeches of the right hon. Gentleman and hon. Members opposite, I should not have intervened in this Debate. Their remarks, I think, were not germane to this Bill, seeing that they introduced wider issues relating to the Disestablishment of the Church in Wales. When we have a direct Bill or Motion on that subject before us we shall not be slow to deal with it in a fitting fashion. But this present measure is of an eminently simple and business-like character, intended to deal with certain local difficulties, which, owing to the conduct of agitators and the vernacular Press, have been caused in Wales. We strongly object to the Disestablishment of the Church by piecemeal. We are prepared, I repeat, to deal with Disestablishment when that question is properly formulated before the House, but we decline now to go beyond the limits o the Bill before us. I think we have cause to complain of the tactics of agitators in Wales, who have selected as the object of their attacks persons who are the least able to resist them. I maintain that no more cowardly agitation has ever been set on foot than the agitation directed against the poor clergy of North Wales. I am in possession of considerable information from that part of the country. It shows that in a huge number of cases, owing to the inspiration of the vernacular Press and the unscrupulousness of agitators, many of the poorest clergymen, with their families, have been deprived of the common necessaries of life, and not only that, but they have been assailed with the foulest abuse. The services of their Church have been mocked, and unmentionable things have been done with regard to matters held most sacred by Churchmen. Because these poor clergymen have resorted to the only means they possess to recover that which is due to them, they have even been assailed with physical weapons, and I am sorry to say that the assailants have been inspired by men who should be leaders of the people in right things, but who unfortunately too often lead them into evil courses. As an instance of the oppression of the poor clergy, let me quote a few figures regarding the half-dozen parishes in the archdeaconry of Cardigan. These figures show a bad state of things, but I believe the position has become worse since the time to which they refer. In the parish of Whitechurch the present value of the tithe is £109, and the amount of arrears is £171; Troedyraur, £239 13s. 2¼d., arrears £501; Penbryn, £269 6s. 6¼d., arrears £238; Kilrhedyn, £295 5s. 7¾d., arrears £258; Llanfyrnach, £192 16s. 5¼d., arrears £321; Bridell, £140 10s. 4¼d., arrears £249. This, then, is the justification of Her Majesty's Government for the present Bill. By its proposals the poor clergyman will not require to set that cumbrous machinery of distraint in motion which has enabled the anti-Church agitator to raise popular feeling against the clergy. By the Bill resort may be had to the simple and prosaic machinery of the County Court; and I venture to predict that within 12 months from the

passing of this Bill little will be found for the County Court to do in regard to it, and that the tithe will be paid regularly, fully, and freely. I do not understand why hon. Gentlemen opposite should object to that being the case. What is their main argument at the present time? That tithe is not an exclusive property, belonging not to a religious body for religious purposes, but to the nation for national purposes. Of course, that is a proposition which we on this side are prepared to deny and to traverse in every particular and detail. From their own point of view, however, hon. Members opposite are interested in maintaining this property in its integrity, and in seeing that it is not wasted. In maintaining the *corpus* of the property unimpaired we are with them, and this Bill will effect that object. I trust that it will be passed into law. I can assure Her Majesty's Government that among the clergy, and the poorer clergy in particular, this Bill is being hailed as a measure of justice, of policy, and of relief; and if any other argument were needed to show that Her Majesty's Government are on the right course, it would be found in the violent opposition of the right hon. Gentleman and hon. Members opposite.

*(7.27.) MR. J. BRYN ROBERTS (Carnarvonshire, Eifion): Mr. Deputy Speaker, it is rather extraordinary that the only Member on the other side who should criticise our action is one who represents a constituency in the North-East of England, who knows nothing of Wales except what information he derives at secondhand from interested and partisan sources. No attempt has been made by the Minister of the Crown in introducing either the present or previous Bills to give any authentic details respecting its necessity. There has been a general reference to the deplorable disturbances in Wales, and the widespread resistance to the tithe in Wales. No official attempt has ever been made to show the exact limit and extent of these occurrences, and if any such attempt had been made by authentic official Returns they would have shown that the House has been utterly bamboozled with respect to them. There should be some relation between the remedy and the extent of the evil to be rectified. How does the matter stand? It is admitted by the right hon. Gentleman who introduced the Bill that the measure is largely due to what has occurred in Wales. But this Bill extends to the whole of England, and totally alters the method by which tithe is to be recovered, and dislocates the relations between landlord and tenant throughout all England and Wales, and all this is done because of certain disturbances in Wales. To what extent did those disturbances prevail? There is absolutely no *data* before the House to show that, and the right hon. Gentleman was compelled to rely on general statements. There is nothing to show that the difficulty was in any way widespread. I am a Member for a County Division, and to the best of my knowledge in the County of Carnarvon difficulty arose in only two or three parishes, and the same may be said of the County of Anglesey. If there were more cases, certainly they were not so violent as to impress themselves on my memory. I am aware that in the Counties of Denbigh, Montgomery, and Flint resistance to the tithe has been more extensive; but, still, even if Returns as to those counties were obtained, I venture to think it would be found that the area of disturbance was astonishingly small, and English landlords would be disgusted on finding that they had been led to support a Bill of this kind through difficulties so limited in character and extent. When Ministers propose an important Bill of this kind they ought to be able to prove something more than that there has been disturbance in a particular locality; they ought, at any rate, to show that unless the law was altered the disturbance was likely to become permanent. Yet they have not attemped to show that. Those who have studied the question know that the disturbance has arisen from a combination of two circumstances, the first of which is that the entire tithe in Wales is used not as national property should be, but for the benefit of only a small proportion of the population. The second circumstance is the agricultural depression. Neither of these causes would alone have been sufficient to cause the disturbance. The appropriation of tithe to sectarian purposes prevailed long before this difficulty arose, and, therefore, that cannot by itself be said to be

the cause of the disturbance. Then as to the agricultural depression, that has prevailed in England to an even greater extent than in Wales, yet there the difficulty has not arisen, because in England there has been no such acute sectarian injustice. Consequently the cause of the difficulty is to be found in the combination of both circumstances acting in an acute degree during the past four years. Is there any probability of that state of things continuing? There is not. The agricultural depression is already passing away, and my hon. Friend the Member for West Denbighshire—although he takes an opposite view to that held by his liberal colleagues—admits that in the greater part of Wales tithe is collected with great ease. It is true that a certain amount of exasperation exists, but that is in places where unwise methods of collecting the tithe have been resorted to. Where tact and judgment have been used, these disturbances—which I deplore as much as anyone—have ceased. The trouble has prevailed almost entirely in the parishes where the tithes belong to Christchurch and to the Ecclesiastical Commissioners. The Member for East Bradford referred to the poor clergy, but it has not been in the parishes where the poor clergy have the tithes that the disturbances have mainly arisen. Again, the trouble has not been brought about by anti-tithe league agitators, as suggested by an hon. Member, for, in point of fact, the chief constables have repeatedly applied to the anti-tithe league officials to accompany them to the scene of the trouble to assist with their influence in suppressing disorder. The so-called agitators, therefore, so far from stimulating, have done a great deal to repress disorder. The fact is, the farmers, seeing the landlords were granting abatements of rent, considered that the clergymen should show sympathy in like manner, especially as they received no return from the parson for the tithe, and had to maintain their own ministers and places of worship. I am not going to argue the question of Disestablishment; I am only stating what was the feeling of the Welsh farmers—the feeling which gave rise to the disturbances. If we could only get an official Return it would, I think, be found that in no single case where the clergyman offered an abatement did trouble arise. There was always a desire to compromise with the clergyman, and, to use a figurative phrase, the only cases in which "blood was spilt" was where abatements were refused and distraints issued. The fact is the disturbances which have arisen have been owing solely to the obstinacy of the Ecclesiastical Commissioners, who refused to abate their demands. The landlords of England ought to know whom they have to thank for the burden which is now being thrust upon their shoulders. I have one more word to say before I sit down. The hon. Member for East Bradford spoke of statistics. Now, why do we not get statistics from the Government? Why do they not call in Returns showing the number of distraints, the number of occasions on which the military were called out, the number of cases in which police assistance was sought, the total number of tithepayers, the amount of tithe paid, and the proportion of disaffected parishes to the whole number, the number of persons charged, and the numbers of convictions in respect of tithe disturbances. We do not get these Returns because they would not strengthen the hands of the Government. The disproportion of parishes where disturbance has occurred to the whole number is simply absurd. I have seen letters published in the papers from Welsh clergymen deprecating the publication of any such Returns, on the ground that they would be very misleading, as many clergymen, rather than have a disturbance in their parishes, had quietly pocketed the loss, and would prefer not to have the fact made public. But surely where it is the case that a clergyman has foregone his tithe rather than distrain, the fact is known to every one in his parish, and no harm could be done by mentioning it in a Parliamentary Return. It could not bring any odium on him; it would, instead, reflect credit on him. No, the reason for not giving those Returns is that it would show that the trouble was confined to a very few parishes, and that it was the action of the Ecclesiastical Commissioners and Christchurch in enforcing payment in full which had created it. If there had been many disturbances, surely the Police Court records would show that many persons had been charged before the Magistrates with creating them, but, as a matter of fact, there have been scarcely any convictions. The ultimate object of this Bill is to stave off Disestablishment. The Government and Lord Salisbury think it will have this effect. If I held that opinion my opposition to it would be far more intense. But all Welshmen and Welsh Conservatives in particular know that the feeling in favour of Disestablishment is too strong to be stamped out. This has recently been significantly illustrated by the fact that even in Anglesey, the county in which the Conservatives have the best chance of winning a seat, they are obliged to rely on a candidate who will pledge himself to Disestablishment. That is a significant fact. This Bill will tend eventually, as a large number of the measures passed by the present Government have tended, to the advantage of Members on this side of the House and the party they represent in the country. What has been the effect of the measures, on the passing of which Conservatives most pride themselves? Why, their conversion of the Stock Bill injured their friends the capitalists, and their Local Government Bill took power out of the hands of the Welsh Conservatives and put it into the hands of the Welsh Liberals; and so, when this Bill has been passed, the Tory Government will find that it has sacrificed the landlords of England and Wales in vain, for Welsh Disestablishment will not have been put back one day, and after Disestablishment is carried Wales will have the advantage of having to deal with the landlords only, and not with the tenants. If, therefore, this Bill is passed, I shall look upon its enactment with considerable equanimity. As, however, I consider that no case has been made out for such a far-reaching Bill I shall vote against it. It will certainly do that cause more good than harm, and that fact will go far to reconcile me to its enactment.

*(7.30.) SIR ROPER LETHBRIDGE (Kensington, N.): I find it rather difficult to follow the arguments of the last speaker, and probably the House will scarcely understand whether he intends to vote for or against this Bill. I was very glad, as an English Member, to hear from the speech of the hon. and gallant Member for West Denbighshire that hon. Members from Wales are by no means unanimous in their opinions as to the propositions set forth by the Mover and Seconder of the Amendment now before the House. That Amendment asks the House to say that no attempt shall be made to deal with this burning question of tithes until we are satisfied of the truth of some supposed or alleged opinion in Wales, that tithes are national property and must be devoted to some national purposes which are not set forth in the Amendment itself. Now, I think, with the hon. Member for West Denbighshire, it is highly improbable that the Representatives for Wales will be unanimous on that point, and it appears absolutely ridiculous to suppose that the whole of the population of an important part of the kingdom will lend themselves to such an absurdity as is embodied in the Amendment. While I wish to congratulate the Government on the care which has evidently been taken in drafting this Bill, and the consideration shown for the views of Members of all shades of political opinion, I must say I was heartily glad to hear the emphatic disavowal of the right hon. Gentleman the President of the Board of Trade of any intention on the part of the Government to lend any countenance whatever to the proposition that tithes can be regarded as national property. I would ask the Mover and Seconder of the Amendment why do they not give us some more definite idea of what they mean by tithe being national property? Possibly they mean that the House has the power to transfer the ownership of tithes from the present to other owners. It has such a power no doubt, but if it were to do that arbitrarily to-morrow, surely the right hon. Gentleman the Seconder of the Amendment would agree with me in calling it confiscation. What does the right hon. Gentleman want?

*MR. G. OSBORNE MORGAN: I mentioned the case of the Irish Church as parallel to ours in Wales.

*SIR ROPER LETHBRIDGE: Then I take it the right hon. Gentleman would deal with tithes in the way in which the revenues of the Irish Church were dealt with by compensating the present holders and abolishing the imposition for the future. But what does he propose to do in the case of the lay impropriators? Does he mean to tell us he would simply treat them as tenants for life? Let me take a concrete example and put it before the right hon. Gentleman. Supposing that adjacent to the right hon. Gentleman's own property is the property of, say, Mr. Jones, who owns the tithes of the parish, he or his father having purchased them, does the right hon. Gentleman mean to advise the House that the tithes thus purchased are public property that may be confiscated without compensation, or with only compensation to the present owners, as if they were only tenants for life? The right hon. Gentleman instanced the case of the Irish Church, and said that was the principle upon which the disendowment of that Church went. Does the right hon. Gentleman mean that the lay impropriators are, by an Act of the Legislature, to be suddenly turned into tenants for life? It seems to me that to state the proposition in that bare form is to show its absurdity, or rather its injustice.

*MR. G. OSBORNE MORGAN: The case of the lay impropriators was specially provided for by the Irish Act, and what I wanted to show was that our demand could be met in the same way.

*SIR R. LETHBRIDGE: I will take the right hon. Gentleman's argument from another point of view. He seems to avoid the point as to the lay impropriators; but I am ready to meet him as to those cases where the tithe is attached to the ecclesiastical service of the parish. Does the right hon. Gentleman ask that the tithe should be confiscated without compensation? Probably he will say, "No; I would treat the present owner as if he were a life tenant, and give him compensation for his life-interest, but in the future I will take away the tithe from its present allocation." Then I would ask the right hon. Gentleman would he deal in the same manner with the Trust Funds of the various Nonconformist bodies throughout this Kingdom? He knows as well as I do that there are a large number of cases throughout the Kingdom—such as those of Wesleyan chapels and Baptist chapels—where the fee-simple is held in trust for certain uses—uses which as a Churchman I honour as much as I do those that are for the benefit of the Established Church of England. I would stand up in defence of any such trust as that, and against the Legislature attempting to tamper with it. I think it is only fair, then, for a Churchman to ask the right hon. Gentleman why he applies to a Trust Fund connected with the ecclesiastical service of the Church of England arguments which he would not apply to the Trust Funds of Nonconformist places of worship? I turn now to another argument adduced this evening as to why we should have no hesitation in tampering with tithes. I refer to the suggestion that because landlords throughout England have more or less been compelled by the stress of circumstances to make terms with their tenants and to lower their rents, tithe owners ought to do the same. Of course, it will be obvious that the automatic operation of tithe averages does to some extent deal with tithe in this manner, but I would also point out to hon. Members who take up that position that the present Bill deals with exceptional cases, where the tithe exceeds a certain proportion of the value of the land. I should like to note, in passing, that perhaps the strongest argument addressed to the House this afternoon with regard to the general question of the tithe being national property is the argument of the right hon. Gentleman opposite when he said—

> "The Government are now acknowledging this principle, because in certain circumstances they propose to abolish the tithe where it amounts to two-thirds of the value of the land."

It seems to me, however, that the answer to that argument is obvious. Great and exceptional cases of difficulty and distress ought to be met by the Government in an exceptional manner, but that ought not to be made an argument for establishing any such monstrous proposition as that to which the House is asked to assent this afternoon. My hon. Friend the Member for Maldon (Mr. C. W. Gray) is anxious to make the limit at which the tithe shall cease to be levied a half instead of a two-thirds limit. The matter is one which clearly admits of argument. There is no magic virtue whatever about the two-thirds. I would point out to my hon. Friend, however, without insisting that his view is a wrong one, that tithepayers, like the rest of the community, should bear in mind that it is a dangerous thing to tamper with what are distinct rights of property in this matter. It seems to me that exactly the same arguments will hereafter be used with regard to the property of the landowners themselves, and the property of other capitalists, and with regard to property generally. I hope my hon. Friend the Member for Maldon will take this point into his careful consideration, and I think he and his friends will be well advised if they do not press their views too strongly in this House. We have been referred to the charge of a distinguished Judge, and have been told that the action of the Quakers in resisting various demands made upon them which they regarded as unjustifiable is a sort of precedent for the deplorable scenes that have been enacted in Wales in resisting distraint for tithe. The justice of the application of that analogy entirely depends on the question whether the resistance to the tithe was a violent one or the contrary; whether it was carried out in opposition to the law, or whether those who made it submitted at once and fully to the operation of the law, only entering a peaceful protest. I am sorry to say that the accounts in the papers and what we hear from our friends in Wales seem to me to show that this has been anything but the case, and that resistance has been often stirred up by unprincipled agitators, who have induced ignorant farmers to believe that they could obtain a remission of unjust taxation if they only agitated against it. Before I conclude I should like to say I regret with some of those who have spoken to-night that it has been found necessary for the Government to drop those clauses of the old Bill which referred to redemption. I should like to see the whole question of tithes dealt with, and I think that tithe owners as well as tithepayers recognise that it would be impossible ultimately to obtain a final settlement of this question without devising some equitable mode for redemption. But I am well satisfied that the Government have done what they have done in order to deal with the most flagrant aspects of this burning question. I believe that the transference of the liability for the tithe from the occupier to the owner and the change made in the procedure for recovery will to a large extent do away with the deplorable state of things we have all so much regretted to see in Wales, that it will enable the tithepayer honestly to pay his tithe in the most convenient manner, and the tithe owner fairly and justly to receive it. Therefore, Sir, I shall have much pleasure in supporting most strenuously the Second Reading of this Bill. (8.13.)

*(8.45.) MR. S. SMITH (Flintshire): At the risk of somewhat wearying the House we are obliged as Welsh Representatives to state our case with much fulness, because the view of the Welsh people differs so entirely from the view of the English people, that justice will not be done to the Welsh people unless the House is fully informed as to the point of view from which constituents regard this question. We represent here a nation of Nonconformists, and these naturally look at the whole of this tithe question in the dry light of history. In their eyes it is not covered by a *nimbus* of ecclesiastical romance; it is not obscured, as it is in the eyes of many English persons, by myths which have gathered round the history of the subject. It is well-known to the Welsh people that no sacredness whatever attaches to the tithe question. They are familiar with the origin and with the history of tithes, and they know that there is no sacrilege in secularising them. The Welsh people are well acquainted with the fact that the whole tithe system originated in the darkest ages of the Christian Church. I appeal to the right hon. Gentleman the Postmaster General, and I commend to him a passage from Dr. Stubbs, an acknowledged authority on ecclesistical history and especially upon tithe property. Dr. Stubbs, Bishop of Oxford, in his *Constitutional History of England*, says—

> "The recognition of the legal obligation of tithe dates from the eighth century, both on the Continent and in England. In A.D. 779 Charles the Great ordained that everyone should pay tithe, and that the proceeds should be disposed of by the Bishop; and in A.D. 787 it was made imperative by the legatine councils held in England, which being attended and confirmed by the kings and ealdarmen, had the authority of witenagemotes, from that time it was the subject of not unfrequent legislation. The famous donation of Ethelwolf had nothing to do with tithe; but almost all the laws issued after the death of Alfred contain some mention of it."

This is a fact of enormous importance as bearing on the whole tithe question. Here it is acknowledged by a great Church historian who has dealt with the tithe question that there was no legal obligation attaching to tithe until the 8th century. It had no existence in the early centuries of the Christian Church at the time when Christianity was purest. When did the legal obligation attaching to tithes begin? At the most corrupt period of the Christian Church, when ecclesiastical authorities were most rapacious and tyrannical, when they extorted from weak Kings the most injurious concessions under threat of pains and penalties in the future world. This was the time when the legal obligation to tithe sprang into existence. There is no mention of the subject among the earliest Christian writers, or in the sacred documents which form the foundation of our Christian faith. From beginning to end of the New Testament there is no reference to the obligation of paying tithe. The writings of the New Testament laid the support of the Church on the voluntary alms of the faithful. The tithe system is entirely a Jewish institution, which came to an end at the advent of Christ, equally with the rite of circumcision and the Feast of the Passover. It would be just as reasonable to enforce the observance of these last as to enforce the obligation of tithe. These facts are well understood by the Nonconformists of Wales, and we cannot wonder that, with a knowledge of these facts, no sacredness attaches in their eyes to ecclesiastical tithes, and they despise all the charges brought against them of sacrilege and of the spoliation of sacred property. The people of Wales are also acquainted with the history of the appropriation of tithes. They are well aware of the corrupt channels through which the whole tithe system has passed. They know that there is no institution which has been more thoroughly abused during the last 800 years than the tithe system. It is an example of almost every kind of rapacity and venality. Originally exacted most unjustly, the tithes have been alienated most unjustly. They have rarely gone to their proper recipients—the hard-working parochial clergy. The greater part of the property went for ages to the monks, and at the dissolution of the monasteries, by Henry VIII. and Elizabeth, much of the property was transferred to Court favourites. Hence the unnatural institution of lay impropriators, the heritage to us of the spoliation of the tithe property at the time of the Reformation. Their whole history is a history of rapacity and callous disregard of moral obligations. These are undoubted facts, the accuracy of which no honest Church historian disputes. These facts are perfectly well-known among the Welsh people, and they are also fairly well-known among the Nonconformists of England, though in this country they have not excited so much interest. With a knowledge of these facts, can you wonder that the people of Wales look upon the whole tithe system as rotten, and as the misappropriation of national property? I am quite willing to admit that matters in Wales are not so thoroughly bad as they were before the Tithe Commutation Act. Before the passing of that Act, almost every abuse flourished darkly. From a well-written and clear statement of the revenues of the Church of England in Wales, by the Rev. H. W. Clark, I find that at the time of the passing of the Tithe Commutation Act only some 50 per cent. of the tithe went to the parochial incumbents—that is to say, those who did any work for it. But now 63 per cent. of the tithe goes to parochial incumbents, while 37 per cent. goes to those whom we may call alien proprietors who take this property from the country, making no return for it by any service. These are the grounds on which, in my opinion, it is impossible to settle this question finally without taking into account at the same time the appropriation of tithe, and making this appropriation a part of the settlement. It is well understood by all intelligent persons that the abolition of tithe is out of the question, because they know that the abolition of tithe simply means adding the amount to the rent of the landlord. There may have been some ignorance on this point in the earlier phases of the agitation, but the subject has been so thoroughly threshed out before the public that but a very small residuum of ignorance on this point now remains. The idea of the abolition of tithe has faded away, and in lieu of it there is the strongest conviction that it is our duty to maintain intact the tithe of the country as a most valuable national property. I believe that in saying this I am expressing the opinion universally held by my constituents and the majority of the people of Wales. Moreover, we are here to speak on behalf of the deep religious convictions of the Welsh people. It is no mere question of pocket. The question of tithe is one which touches the peace, the social happiness, the welfare, and the religion of the country. The Church of England wears a very different aspect in Wales from that in which it appears in England. In Wales it is a constant irritant, and a source of disturbance to the peace of the country. To Welsh Nonconformists it has always been an anti-national, an aggressive, an alien Church. Living a threatened life it is forced by the necessities of its existence to seek strength and support from every side. It is a proselytising and meddlesome Church, interfering at every turn with the freedom of Nonconformists; it touches them in the schools, in their farms, wherever the richer classes come into contact with the working and middle classes. The Church of England appeals to the population of Wales very differently to the way in which it appeals to the population of England. In Wales it wears a different guise; it comes to the people in an alien robe, and it is a source of annoyance, conflict, and friction. Holding these views, I and my friends think we are right in putting before the House the absolute necessity of changing the destination of tithe. We believe that true statesmanship would deal with the root and source of the evil—with this cause of vexation and annoyance which has prevailed so long. We are here to-night to urge these views. We will do so in season and out of season. We shall have no peace in the Principality until the doctrine of religious equality is accepted. We believe that the Church of England severed from the State in Wales will have an active and useful career there. Certainly, such severance will remove the incessant irritation and collision which exist at present. I appeal to those who desire to give vitality to the Church of Wales to remove that which is a source of weakness and danger to that Church; and if that great act of justice is done, I believe every Welsh Member will bear me out in saying that Wales will become the most contented portion of Her Majesty's dominions.

(9.4.) Mr. ATKINSON (Boston): The speech of the hon. Member who has just sat down seems to me to have two parts—one referring to the tithe question and the other—the latter part—having reference to the Debate on Disestablishment, which has yet to come on. The hon. Member objects to the manner in which the Government are dealing with the tithe question. The hon. Member considers that he represents the Nonconformists, and no doubt Nonconformity is strong in Wales; but it is stronger in England, so far as numbers are concerned, and there is a strong feeling in England in favour of the settlement proposed by the Bill. If the grievance is so great as hon. Members represent it to be, why did not the Party opposite deal with it when they were in power? They treated the question in the same manner as they did the question of the Ballot, for, though they had many opportunities of dealing with that question, they held it over from year to year. They made a great deal of it before getting into power, but, having secured that, they put it by only to bring it out again on the hustings. They were sorry when it was settled. In like manner they left the tithe question severely alone when they were in Office; and as soon as a strong Government attempts to deal with it, they declare that it is merely patching. But suppose it is patching, how much better is that than doing nothing at all? As a matter of fact, tithes are property, and must be looked upon and dealt with as such. Doubtless the manner in which hon. Gentlemen opposite have dealt with property in the past has given them very hazy notions with regard to it. As they have dealt with the property of the Irish Church and the property of the Irish landlords, they would now have the House deal with the property of the Church in Wales. And apparently they do not reflect upon the condition of things that this course of proceeding may bring about—that before long property in bales of cotton, and property in ships, and all kinds of property may be interfered with. The fact is, that no better proposal than the present one has been brought before the House for settling the question. It provides for a case of difficulty; but if hon. Gentlemen opposite can produce something better, they will always find the Members on this (the Ministerial) side so fair-minded that they will do their best to make the Bill better and more agreeable to all parties concerned. But if it comes to interfering with the principle of the ownership of property—if it comes to a question of stealing, the property of the tithe owners and others—it is clear that a Conservative Government and the Conservative Party never can identify themselves with the proposal. If gentlemen buy property subject to tithe we must take that into account. The tithes which may come from that property will not count in a charitable point of view, and, therefore, they are absolutely due as a debt, and ought not to be repudiated. I can assure my hon. Friend opposite (Mr. S. Smith) that if it were his property that was threatened we should be just as strong in that principle as we are now. No doubt hon. Gentlemen opposite find it easy to bring people to their way of thinking, for they declare that the abolition of tithe will put money into the pockets of the farmers, and there are, unfortunately, many people who welcome the prospect of becoming enriched at the expense of their neighbour. I will not believe but that there are many Calvinistic Methodists in Wales who repudiate such principles. I am a Nonconformist myself, and I unhesitatingly declare that the Government have honestly done their best to deal with this question regardless of whether it is likely to be ultimately to their advantage or not. One of the popular speakers representing a Welsh constituency to-night said he should be glad to see the Bill pass, as the credit of it would be given to the Liberal Party. But the passing of the Bill will not redound to the credit of the Liberal Party, as they are not a party to its passing. The Bill comes from this side of the House, and the credit of it will belong to the Ministry, who propose it, and their supporters who help them to carry it.

(9.10.) MR. ALFRED THOMAS (Glamorgan, E.): I rise to support the Amendment of my hon. Friend. I am sorry I cannot speak of the Bill in the eulogistic terms adopted by the hon. Member who has just sat down. I look in vain for one essential of a Bill of this kind, and that essential is conveyed in the Amendment alone. It is plain to those who look for anything like peace in the Principality that such a provision as that included in the Amendment is needed. On looking closely at the Bill I can come to no other conclusion than that it is drawn in the interest of the clergy alone. I sympathise with the clergy, and much regret to hear that there is any suffering amongst them, but if there has been it is much to the disgrace of the members of the wealthy Church of which they are ministers. This measure would be appropriately called the Clergy Relief Bill. Instead of putting an end to difficulties it is going to add to them. I do not say that there have not been some harsh and cruel deeds—although there have not been many of them—performed by landlords in Wales, and especially in Cardiganshire, where some of the tenants were turned out because they voted against their landlords. In most cases, however, the most cordial relations exist between landlords and tenants. But how will it be if this Bill becomes law and the landlords become collectors of this impost? The bitter feeling which existed between the Jews and the publicans of old will be nothing to that which will be created between the farmers and the landlords. The Bill is simply a humiliating confession on the part of the Government that they are incapable of dealing with the question, and I can only look on the measure as a putting off of the evil day. The Government cannot say they do not know the opinion of Wales on this question. They well know that 28 out of the 34 Members who represent the Principality, including Monmouthshire, were returned here on the distinct understanding that they were pledged to Disestablishment. In view of the protests uttered by my colleagues, I can look upon this measure as nothing less than an insult to Wales. Do the inhabitants of Wales deserve such treatment? Are there any people in Her Majesty's dominions who are more loyal and law-abiding? I am afraid that if the Bill passes, its effect will be to fan into flame that great fire of discontent which has been smouldering so long in the Principality.

*(9.15.) MR. J. LLOYD MORGAN (Carmarthen, W.): The Welsh Members do not object to the Government dealing with the tithe question, but to the way in which they deal with it. After previous failures of the Government they have at last succeeded in introducing a Bill that at any rate commands the support of Members on their own side of the House. I have very grave doubts, however, as to whether they will be successful in getting their followers in

Wales to accept the Bill with approval. In my opinion the measure will not give that relief to the clergy which is anticipated. The great difficulty in the collection of the tithe to-day will still remain. The small freeholders who farm their own land are the men who make the strongest protest against a system in which they do not believe, and they will be in precisely the same position in the future as they are to-day, and the Government may depend upon it that the same difficulties will arise in the future as have arisen in the past, because these men will make as strong and persistent a protest as they have ever done. This Bill may, to some small extent, remove the friction which now exists, but if it does, it will create another kind of friction, which, as time goes on, will create a much worse state of things than has yet arisen. The landlord will have to pay tithes to the clergyman, and it will be found that the relations between the landlord and the clergyman will become much strained. I trust it may never be the case, but we may have to meet a period of agricultural depression in the future. The clergy will not grant the landlords any reduction. They declined to grant any substantial reduction to the tenant-farmers during the period of depression through which we have just passed ; *à fortiori*, they are not likely to grant any reduction to the rich landlord and the squire. Tenants will go to their landlords and will say, "We must have some reduction in our rents, or we cannot meet our liabilities." The landlords will grant a reduction, but the clergy will refuse to make a similar reduction to the landlords. The Government will consequently discover some day that, instead of this Bill having strengthened their position in Wales, it has created far greater discontent than we have ever had in the past, and between classes who are now on perfectly friendly and amicable terms. The Conservative landlords in North Wales met together at a conference in Rhyl about 12 months ago. They appear to have discussed the Government Tithe Bill very fully, and a long report of the proceedings appeared in the *Times* newspaper. The landlords present seemed to consider that the very idea of introducing a Tithe Bill to throw the liability on themselves was absurd. They came to the conclusion that there were other and far more important matters which ought to take up the time and attention of Parliament, some of which they proceeded to discuss. The following resolution was proposed :—

> "That, in view of the considerable number of unfit and discreditable clergy occupying positions in the Church of England in Wales, it is desirable that a cheap and summary method of getting rid of them by a mixed tribunal of clergy and laity be established by Parliament.'"

That was the opinion of some of the leaders of the Tory Party in North Wales. The Motion appeared to be too drastic, and a resolution was passed in favour of a Church Discipline Bill. Sir R. Bulkeley stated that not very far from his own house there stood a church in which no service had been held for more than 12 months, and that the tithe of the parish had been exacted all the same. He asked what answer he could give when the people of the parish came to him and said :—"We are ready and willing to pay the tithe if we have our services properly rendered, but when there is no service we do not see why we should pay the tithe." Sir R. Bulkeley said, if tithe legislation was to be initiated with a view of relieving the clergy and putting an end to disturbances, it was also high time that reform was started in the Church itself. I think I have now shown that the Government have signally failed to satisfy the landlord class in Wales, and that by that failure they will create the friction to which I referred a few moments ago. The party it is sought to benefit under this Bill is the clergy. Let us see whether the measure will confer on them the immense benefit it is supposed to do. By adopting County Court proceedings you bring the clergyman into much closer conflict with the tithepayer than before. The clergyman becomes a plaintiff in the action. The scene of the conflict will, doubtless, be removed, but the issue will be exactly the same, and the conflict will be brought much more prominently before the public than ever, because the people are sure to turn up at the County Court in pretty large numbers. I am convinced that, when the clergy come to understand the exact position they are placed in, they will scarcely be grateful to the Government for this measure. Allusion has been made to the charge of Mr. Justice Wills to a jury in North Wales some time ago. The only conclusion one could draw from his remarks was that there were two ways of paying tithe and both were equally legal. Before the Commutation Act was passed it was the duty of the clergyman to collect the tithe himself. There are two ways. One is for the farmer to take the tithe to the incumbent. Welsh farmers are for the most part men who never attend the Established Church, and who do not believe it to be necessary in their parishes, because it is opposed to the voluntary system which is the spiritual mainstay of the Welsh people. They are strongly opposed to the existence of the Established Church, and yet they are expected to go cap in hand to a clergyman whose presence is not required and ask him humbly and mildly to accept a sum of money for services he has never rendered. That is one way of proceeding, and that is a legal way. There is, however, another way which I think is quite as legal, and it is for the farmer to take up this position and to say—"If I am compelled to pay a debt which I recognise no moral obligation to pay, you must come and take your tithe. You have your remedy, and here it is for you." That is the position the Welsh Nonconformist farmers take up, and I venture to submit it is a perfectly honest and straightforward position. Having said so much with regard to this Bill, I would repeat that the fault we find with the Government is not that they deal with this question, but to the mode in which they have dealt with it. If they wish to deal with it in a satisfactory manner, let them do so in the way proposed by my hon. Friend the Member for Montgomeryshire (Mr. Stuart Rendel). I do not want to go into the question of Disestablishment, but I am convinced that no settlement of the tithe question will satisfy the Welsh people which is not based on the lines proposed by this Amendment, namely, a measure acting on the recognition of the fact that tithe is national property, and should be devoted to national uses. What is almost universally recognised to-day on this side of the House, and largely on the opposite side, is the fact that tithe is national property, and as such belongs to the people. It is clear that this must be so. The nation has never parted with its fee-simple in that property; it has never vested this property in the Church and it is now widely acknowledged that tithe is the property of the nation. If this be so, the only logical conclusion we can come to is that it ought to be dealt with, not for the purpose of maintaining a class whose presence is not required, but for the purpose of benefitting the nation at large. If this Bill does not benefit the clergy or tithepayer, and irritates the landlord, it will at least accomplish one thing; it will prove more clearly than ever that the Established Church in Wales is a complete and signal failure, because it shows that in order to get the Welsh people to support it you must bring in the element of compulsion, and in an even more offensive manner than in the past. It is not seriously to be supposed that in bringing in a Bill of this kind the Government are going to settle the great question which has agitated the Welsh people for half a century, although the question is one which we hope to carry to a conclusive issue before long. It is not by dealing with great questions like this on narrow grounds that they can be satisfactorily or permanently settled. If this is to be the method, the result will only be that one agitation will follow another. You may shift the scene, but the issue at stake will be the same because the principle remains the same; and I say that this Bill has done much towards proving and conclusively establishing our case, namely, that the Church in Wales, though having many advantages in its favour, has entirely failed to gain the affection of the Welsh people. If the Church had gained the sympathies of Wales, and was progressing and increasing in strength and influence, does anyone suppose it would be necessary to bring in a Bill of this kind for the purpose of compelling the payment of tithe? As I have said, some aspects of the Bill are objectionable to us on this side of the House; but when it becomes law and begins to create renewed friction we shall have to say, and that before very long, that after all a Conservative Government has done much for the cause of religious equality in Wales.

(9.35.) MR. JEFFREYS (Hants, Basingstoke): We have been told by the last and by one or two previous speakers that the tithe is generally recognised as national property, and the hon. Member who has just sat down has asserted that this Bill is being passed solely in the interests of the clergy. Now, I would point out that, out of a total amount, roughly speaking, of £4,000,000, which is the yearly value of the tithe, £766,000 belongs to lay impropriators, while £96,000 belongs to schools and colleges, only the remaining portion belonging to the clergy; that is to say, the clergy have the greater part of the tithe, but not the whole. If hon. Gentlemen are right in saying that the tithe is national property, they ought to be glad that this Bill has been introduced, because its effect will be to render the collection of the tithe much easier than at present. The consequence will be that the security for the property will be thereby improved, and, therefore, those who regard the tithe as national property ought to welcome this Bill. But there can be no doubt that tithe has been for a lengthy period recognised as national property, because it has been sold over and over again, and we know that those who have bought the tithe own it in exactly the same legal manner as others own property of another description. Therefore, I cannot see how you can interfere with this kind of property without at the same time interfering with the rights of other property. The hon. Member who last spoke asserted that in times of agricultural depression the tithe ought to be reduced in a corresponding degree, but I would remind the House that the tithe has already been considerably reduced. The hon. Member shakes his head. Let me remind him that, instead of being £100 as it was on the commutation value of 1836, the present value is only £78, and there is not the slightest doubt that next year it will be still further reduced to £75. Therefore, out of the whole annual payment to be made next year, there will be a reduction of no less than one-quarter, the result being that the total sum payable will be £3,000,000 instead of £4,000,000 ten years ago; therefore, it will be seen that there has been a considerable reduction on account of agricultural depression. I would also remind the House that the Bill contains a provision for the reduction of the excess of the tithe when it exceeds two-thirds of the value under Schedule B. Doubtless that provision will not very often be put in force, as there are very few places in England where the tithe does or will exceed two-thirds under Schedule B. And in any case where that occurs, the tithe will have to be more than double the rent. I am glad to hear from the right hon. Gentleman the President of the Board of Trade that a Commission is to be appointed to inquire into the redemption of the tithe, because I think that that is the only means by which the tithe question can be brought to a final termination. I think that those gentlemen who are so fond of talking of the tithe being national property ought to be glad to welcome a proposal that will tend to put that property on a better footing than it occupies at present. The value of the property will necessarily be much enhanced by the fact that the interest on the redemption money will be so much more easily collected than is the tithe at the present moment. So far from the occupiers not wishing this Bill to pass, I can only say that, speaking for the great body of English farmers, I am sure they will receive the provisions of the Bill with acclamation. What the farmers are crying out for is that the owners should be rendered liable for the tithe, and that the occupier should have nothing to do with it. It is said, however, that, if the owners have the tithe to pay, they will charge the occupiers more rent; but the farmers are not so simple-minded that they are unable to make their own bargains. When they propose to rent lands which are tithe-free, they will not care very much what the owners say about the tithe; they will only give what they conceive to be a fair rent. There can be no doubt that the principal clause of the Bill is that which throws the burden of the tithe upon the owners of the land. This is what we have all been wishing for, and have asked for over and over again. The Government are now ready to grant it, and in addition to that they have introduced a clause giving remission in certain hard cases. This being the case, I regard the Bill as a good one, and I trust that this House will assist the Government in passing it into law.

*(9.43.) MR. S. T. EVANS (Glamorgan, Mid): I think it is somewhat beside the question for hon. Members on the other side of the House to bring forward the

case of the lay impropriators, because the Government themselves have not brought that case forward in this measure. For my part, I am not aware that any difficulty has been experienced in regard to the tithe payable to lay impropriators. This measure has been brought forward with one object, and with one object alone. It is what has been well termed a Clergy Relief Bill, for it is a Bill to facilitate the payment of the clergy for what they do not do. The Government merely open their eyes to the fact of the resistance which has taken place in regard to the collection of tithe in Wales. The Government, seeing this resistance, say—"We must compel these people to pay their tithe." They fail to look deeper down for the cause of this resistance. That cause is so deeply rooted that a small Bill of this kind will necessarily fail to get rid of it. We have been told that we wish to interfere with the rights of property. We do not wish to interfere with the rights of property at all. It has been admitted by the right hon. Gentleman the President of the Board of Trade that the tithe is national property. [Sir M. BEACH denied.] Every responsible statesman has admitted the fact. ["Oh!"] The admission has been made by the Leader of the House himself. He said last Session that the tithes are national property, except that they were to be applied to a particular purpose, that is the maintenance of the Church in Wales. I was going to say that the Government themselves are tampering with property. They are, too, interfering with the right of contract, which has been a sort of god with the Tory Party for many years past. They are interfering with the property of the lay impropriator. Supposing a lay impropriator holds tithe upon a farm where the tithe exceeds two-thirds of the annual value, what does the Government propose to do? They propose to take away part of the property of the lay impropriator, to wipe off part of the tithe, and put it into the hands of the landlords. That will follow if the 3rd clause is carried into effect. It will be possible that 33 per cent. of the property of one individual will be transferred to the pockets of another. One hon. Member said that we on this side claimed that credit would redound to us from the Bill. I do not see what credit attaches to it. What we said was that it would redound to our advantage ultimately. Its effect will be to change the resistance to the payment of tithe from the clergyman to the landowner, who will experience the ill feeling now directed against the former. The Bill will place landlords and tenants at loggerheads. The hon. Member for East Bradford said the Bill contained mechanical and simple machinery. On the other hand, I find that the Home Secretary said something very different last year, namely, that in recovering the tithe rent-charge titheable goods only ought to be seized, but if the landlord were proceeded against directly, then the proceeding could only be by the "cumbrous process of appointing a receiver." This is now called "a simple mechanical process." I should like to point out one very injurious effect which this Bill may have if it pass. Considerable ill-feeling is shown towards the Church of England because it is maintained out of the public funds. It is proposed that the County Court shall now come to the assistance of the Church. Is it not possible that there will next be an aversion to Courts of Justice? If the County Courts are made use of in the way suggested, may such a contingency not be contemplated? I do not know who has asked for this Bill. It is not the lay impropriators, not the tenants, and not, so far as I am aware, the landlords. The Government are asking us to pass a little measure for the benefit of the clergy, and they wish to put a little of the tithe into the pocket of the landlord under Clause 3. Who has really been agitating for this Bill? We have not. The feeling against tithe in Wales has grown up spontaneously; it was natural that it should do so. The agitation for this Bill is on the part of the Bishops and clergy. We know very well that there are Bishops of the Principality who do not spend all their time there, and who seem better cut out for lobbying than for preaching. I am sure that in the minds of some it is considered that the man best fitted for the high office of Bishop in these days is the fighting man—one who can bring pressure to bear on the Government to pass a Bill of this kind. By this Bill the Government will create greater feeling against the Church than has existed already, and in that way they will facilitate the work of Disestablishment. Even if you get rid of the tithe agitation by this Bill, and you will not, you will have a land agitation springing up in its stead. A considerable portion of the tithe paid by the Principality goes to support institutions in England. We hear talk of "poor little Wales," but surely poor little Wales might be allowed to retain her own property. From the county of Anglesey £1,534 goes to England; Brecon, £2,235; Cardigan, £1,000; Carmarthen, £2,860; Carnarvon, £1,505; Denbigh, £3,103; Flint, £2,845; Glamorgan, £3,386; Merioneth, £1,760; Montgomery, £4,474; Pembroke, £861; Radnor, £1,874; Monmouth, £1,455—making the grand total of £28,900 derived from the Principality for institutions in England. It may be said that this money goes to educational institutions, in the benefits of which Welshmen may participate. But let us see to what this money is devoted. Of this £28,900, there goes to the Dean and Chapter of Oxford, £2,513; to the Dean and Chapter of Gloucester, £2,947; Dean and Chapter of Winchester, £2,404; Dean and Canons of Windsor, £1,824; Bishop of Lichfield and Coventry, £1,456; Dean and Chapter of Worcester, £1,330; Bishop of Gloucester and Bristol, £1,215; All Souls' College, Oxford, £875; Dean and Chapter of Bristol, £811; Bishop of Chester, £768; Bishop of Lincoln, £400; Christ's College, Cambridge, £370; London Grocers' Company's Schools, £327; Eton College, £200; University College, Oxford, £37; and so on: and for suspended prebendaries and sinecure rectories, £6,816. This money really, therefore, is applied to Church institutions in England and to the support of wealthy cathedrals. I would like to be enlightened on one point. One hon. Member on this side of the House has referred to the question of personal liability. We rejoice that the Bill is as harmless as it is; most of the fangs have been taken out of it. But can imprisonment follow if the payment of tithe is resisted? [Sir RICHARD WEBSTER was understood to indicate that it could not.] I am told by the Attorney General that it will not. We will take care that the necessary provision is made in Committee on that point. But what I wish to know is this, whether if there is any resistance by the tithepayer to the process of the County Court, he will be liable to imprisonment for contempt of Court; whether, while he is not directly liable to imprisonment, he may be indirectly liable. I want to be satisfied, if possible, that nobody will be liable to imprisonment under the Bill. If the Government do pass the Bill, I am sure they will be sorry for it in future years.

*(9.55.) ADMIRAL MAYNE (Pembroke and Haverfordwest): I did not intend to intervene in this Debate, but as it has been stated on several occasions—two or three times this evening—that the Welsh Conservative Members do not dare to support this measure openly, I rise to say that, speaking for one-third at least of the Conservative Members of Wales, I am perfectly prepared to support the measure now under discussion, and the fear expressed by hon. Gentlemen opposite lest the Conservative Party should injure themselves by their legislation is very soothing; but we are hardly able to believe in this anxiety, for we feel pretty well convinced that no matter what measure is brought forward by the Government gentlemen on the other side will vote against it. So far as I am personally concerned, I have been obliged to relinquish the religious aspect of the question. I was at one time dragged into a correspondence with a representative of Disestablishment and anti-tithe, who finished it by saying that he knew Conservatives did not regard the law of our Lord, by doing to others as we would be done by, forgetting that charity is also a Christian virtue. One hon. Gentleman opposite spoke of the landlords of Wales as being opposed to this Bill. I can unhesitatingly say of the landlords of South Wales, or that part of it with which I am acquainted, that they are most strongly in favour of it, and that several have urged me to bring any influence I have to bear upon the Government to pass this measure. Hon. Members say that process by means of the County Council will not stop agitation. I do not believe that. It will stop it for this reason, that the tithepayer knows that under that process he will ultimately not only have to pay the original tithe, but the law costs also. Therefore, unless I am greatly mistaken in the character of those whom I have the honour to represent, and whose astuteness I highly

esteem, they will not go into Court with the certainty of having to pay about double what they would originally have to pay. I remember a speech by the Member for the Rhondda Valley Division at Cardigan, in which he said that he would not only abolish tithes, but, at the same time, he would pass a Bill prohibiting the landlords from increasing the rent. What epithet would describe such a suggestion? What is the state of affairs in Wales? A case recently occurred in the adjoining constituency to my own, in which two men between 60 and 70 years of age were sent to collect tithe, and they were set upon by a mob and so severely injured that the Magistrates imposed a penalty of £25 upon their assailants. It is because we believe that by giving the control of these matters to the County Court Judge we shall best prevent such disgraceful acts that we strongly approve this measure. I support this Bill as a matter of law and order as far as the Principality is concerned, and because, in my belief, it will put an end to the most discreditable scenes which have taken place in the collection of tithe. It has been remarked to-night that the clergy in Wales have not given up a large proportion of their tithes, but their total income is, as a rule, so very small that it is impossible for them to do so. I know the case of a clergyman with a wife and six children to support whose whole income for 1889 was only £73! How could he possibly remit any portion of his tithe. I believe I represent the feeling of all landlords, at least in South Wales, when I say that this Bill will stop an agitation which has been maintained not so much for religious as for political purposes.

*(10.5.) MR. T. H. BOLTON (St. Pancras, N.): I am a Metropolitan Member, but as I was responsible in the last Parliament for an Act which dealt with a portion of this difficult question, I am sure the House will not consider I am presuming in venturing to express an opinion on this Bill. Now in Kent and Sussex we were face to face with a difficulty quite as serious as that which has presented itself in Wales, and we set ourselves to see whether the trouble could not be got rid of by some system of redemption. Such a system was embodied in the Act passed by the last Parliament, with the result that substantial relief was given to the tithe-payer, fair compensation was provided for the tithe-receiver, and the whole difficulty was settled. At the present time there is no trouble in Kent and Sussex in the hop-growing districts with reference to what was known as the extraordinary tithe on hops, fruit, and market garden produce. I hold that the Government would have dealt with this tithe question much more satisfactorily had they proposed some system of redemption. But they have confined themselves to dealing with the recovery of tithe rent-charge. I admit that their Bill is a great improvement on the measure of last Session, and that it will deal effectually with the question of the collection of tithe, but to suppose that a mere provision to facilitate the recovery of tithe will dispose of the great tithe difficulty in Wales is absurd. Hon. Members who have spoken on this question have referred to the intense feeling that exists in Wales on this question—a feeling directed not so much against the payment of tithe rent-charge as against the application of it. I may read to the House two or three sentences from a speech by the acting Chairman of Quarter Sessions for the County of Cardigan. This gentleman said he felt, as regarded the peace of the country, it was absolutely idle to talk of a measure shifting the onus for the payment of tithe from the tenant to the landlord; it was trifling with the question. If it were to be dealt with at all it must be on the lines of a redemption scheme. There was a strong feeling in Wales on religious grounds against the payment of tithes, and it would not be got rid of by any arrangement making it payable through the landlord. So much as to Wales. Will the Bill be useful in England? The tithe question in England is a much larger one than it is in Wales, for in one English county alone we pay more tithe than is paid by the whole of Wales. In the Principality the total tithe amounts to £274,000 a year; whereas, in the County of Norfolk, it is £277,000; in the County of Berks it is £88,000; in Cornwall, £101,000; in Devonshire, £181,000; in Dorset, £89,000; in Essex, £250,000: in Kent, £257,000; in Somerset, £155,000; in Hampshire, £172,000; in Suffolk, £205,000; in Sussex, £159,000; and in Wiltshire, £142,000. I am quite satisfied that you will not deal with this question

either in England or in Wales finally and satisfactorily, unless you pass a statesmanlike measure for the appropriation and application of tithe, and you must do it first by a system of redemption, which will honestly fix the value of the tithe on the landlord's property, and give substantial relief to the tithepayer, and then, after providing for all vested interests, you must devote the tithe surplus to public uses. I am very glad to hear that the Government propose to appoint a Commission to deal with the question of redemption, and I hope that the Commission will be able to suggest some satisfactory redemption scheme. I intend to vote for the Amendment, in order to enforce the view I entertain as to the appropriation of tithe. I notice that there is among hon. Gentlemen opposite a disposition to dispute the proposition that tithe is public property. But that it is so has been asserted continuously by Parliament ever since 1836, and the strongest assertion of the principle is to be found in the very fact that Bills have been passed which could have no possible justification, unless tithes were public property. Tithe, undoubtedly, is a public property, having a local character, and I believe when dealing with tithes regard will have to be paid to local claims. There are portions of this Bill which are open to criticism. In the first place, the proposal to make the landlord liable to pay the tithe and to give him the right to recover it from the tenant, when the tenant has contracted to pay it, is one which must be viewed with considerable care. I gather that under the Bill the landlord is to have all the rights which the tithe owner at present possesses. In Clause 1 it is provided that the sum shall be recoverable from the occupier by distress; but, later on in the Bill, it will be found that all the enactments of the Tithe Acts shall be available for the recovery of tithe rent-charge under this Act. If the landowner is to have all the rights for the recovery of tithe which at present the tithe receiver has, will he have any remedy beyond that of distress? An hon. and learned Member says, No. What, then, will happen when there is an insufficient distress on the land to meet the tithe? Is the landowner to have the rights which are at present conferred upon the tithe owner? If so, I do not very well see how the tithepayer will be in a very much better position through the tithe owner having first to go against the landowner in the County Court. I have here a bill of costs which an unfortunate tithe payer was recently subjected to. A distress was attempted for a sum of £11; there was insufficient produce on the land, and the tithe-owner consequently put in force the provision of 6 and 7 William IV., and took possession of the land. Ultimately the costs charged against the payer of tithe through the default for £11 amounted to £46 10s. 2d. If the right to resort to process of that kind is to be transferred from the tithe owner to the landlord I do not see how the position of the tithe payer will be improved where he is a tenant and has to continue to pay in consequence of a current contract. I look upon tithe as a property which ought not to be frittered away. At the same time I am quite sure that the public would not desire to deal harshly or unfairly in cases where the land is unable to bear the full tithe; public feeling is certainly in favour of some considerate treatment of persons in the possession of land overburdened with tithe. The Bill does give relief in extreme cases of this character, and that is all that can reasonably be required. While I shall vote for the Amendment to assert my opinion that tithe is public property, I shall vote for the Second Reading of the Bill as a practical measure to preserve that property.

*(10.23.) SIR J. SWINBURNE (Staffordshire, Lichfield): I am glad the Chancellor of the Exchequer is in the House, for I wish to point out to him that this Bill bristles with breach of contract. When the Irish Land Bill had to be altered, the right hon. Gentleman adhered to the principle that contracts once entered into ought never to be broken. However, the very first clause of this Tithe Bill enacts that certain things shall be done "notwithstanding any contract to the contrary." I suppose that the Chancellor of the Exchequer is responsible as a Member of the Government for the drafting of the Bill; but I venture to suggest that landlords in England have trouble enough in coming to arrangements with their tenants without having the contracts broken without rhyme or reason, or by the desire of either party by an Act of Parliament brought in to serve the

purpose of bolstering up the Church of England. I speak as a payer and an owner of tithe, and I say I do not want this Bill passed at all. I do not know anything more mischievous than the drafting of this Bill. Goodness knows, we, landlords in England, have tried to keep on good terms with our tenants, but here all our contracts are to be ruthlessly torn up. A more disagreeable method of collecting the rent I do not know, and this is the reward of the English landed proprietor who has endeavoured to manage his property with some degree of respect for the wants and necessities of his tenants, and with some sympathy for them in these bad times. The Bill is simply intended to back up the Church of England. The Government some day will bring in a Tithe Redemption Bill, and this measure is simply intended to increase the value of tithe in view of that redemption. The hon. Member for the Maldon Division of Essex might have told the House that the tithe now varies in value from 18 to 21 years' purchase, but that if this Bill is passed it will at once be made 25 per cent. more valuable, and of course the redemption will be on the basis of the higher value. The tithepayers will derive no advantage from the Bill. Why not at once repeal the Act of '36, and let the parson collect one-tenth of the produce. You would soon then arrive at the real value of tithes. Under Section 4 of Clause 1, the occupier is to pay the rates for the parson in advance and to collect them afterwards. A more preposterous proposal I never heard of! I want the House to consider where would the tithes be if the owner or occupier of the land (like the tithe receiver) had done nothing to improve it for the last 54 years. In such a case what would have been the present value of the tithe? I know of many cases in which, if nothing had been spent upon the land, the land would not produce the tenth part of the tithe, let alone any rent. Then, again, the landowner was to proceed by process of distress to recover the tithe—which he had advanced to the parson—from his tenant. A more distasteful process for a landlord to pursue I do not know. This Bill is simply intended as a Parliamentary bribe to the clergymen of the Church of England. Those clergymen have always supported the Conservative Party, and knowing that that Party will not be much longer in office they say to the Government, "Give us our reward while you are in office." Some day or other a Bill for the redemption of tithe will be introduced, and then this measure will be flourished in our faces and will be taken as a basis of redemption. A more iniquitous and unconstitutional Bill was never introduced in the House of Commons.

(10.32.) MR. DAVID RANDALL (Glamorgan, Gower): I desire to offer a few observations upon this Bill. In the first place, I have to confess my surprise as a Welshman that we have been deserted in this discussion by the leaders of the Liberal Party. I had hoped, after the various promises that have been made at Sheffield and elsewhere, that at any rate when we came to discuss this matter, which is so important to the Welsh people, we should at least have received the assistance of some prominent member on the Opposition Front Bench. Well, from a Welsh Nonconformist point of view no doubt the present Bill is less objectionable in its character than the Bill of last Session, for it seems to me to leave the occupier, as far as any legal remedy against him is concerned, very much in the same position as he is in to-day, save that, if he resists the payment of tithe, he will in future have so fight the landlord instead of the tithe owner. This is a position of things which I would commend to the consideration of landlords in this House, for I think it is a state of affairs calculated to open up the agrarian question in the Principality. Yet at the same time the Bill will, no doubt, injuriously affect the small freeholders in Wales. In Wales and Monmouthshire there are some 5,300 small freeholders. In Cardiganshire, Carmarthenshire, and Pembrokeshire, where the tithe agitation, which is now in abeyance in anticipation of the results of this Bill, is likely to be as lively as ever, there are upwards of 2,000 small freeholders. These men, I take it, will offer the same sturdy resistance to the payment of tithe in future that they have offered in the past. For example, the yeomen of Montgomeryshire, so long as they know that a large portion of the tithe in Montgomeryshire is devoted to the enrichment of Christ Church

Oxford, will resist payment under a County Court process as much as under distress as at present. This Bill threatens to confiscate the holdings of these men, and to hand them over to the tender mercies of the officials of the County Court. Personally, I have great sympathy for the poor clergy in the Principality, but at the same time I ask the House to have more sympathy for the small freeholders in Wales. The only real relief for the poor clergy of Wales from the oftentimes intolerable conditions in which they find themselves is the Disestablishment of the Church. I know many of the poor Clergy, if they were allowed to speak out for themselves, would welcome Disestablishment quite as heartily as any Nonconformist. No doubt the Government think that by this new method of recovery they will remove the friction that at present exists in Wales, but the working classes in the towns where the County Courts are held will be greatly surprised to see a minister seeking his remedy in a Court of Law. The President of the Board of Trade said he was quite prepared to receive any suggestions or Amendments from this side of the House, provided they are made in a fair spirit. I offer one or two Amendments in that spirit, and I hope they will be accepted. I notice in the Bill an entire absence of any provision for appeal or for trial by jury. Appeal as a right in County Court cases simply extends to actions where the subject matter exceeds £20 in value, and trial by jury is only allowed in cases where the subject matter exceeds £5 in value. The large number of cases arising under this Bill will be under the limits of £20 and £5. I acknowledge that when either party is dissatisfied with the direction of the Judge, either as to a question of law, or the admission or rejection of evidence, the President of the Board of Trade should confer special power of appeal, not as by leave of the Judge but as a matter of right. I do not intend to occupy the time of the House any further, because I feel sure the Government intend to carry the Bill probably to-night, and under these circumstances whatever objections are made on the Opposition side of the House will fall on deaf ears; but I wish to offer my protest at any rate against what is one-sided legislation.

(10.40.) MR. W. ABRAHAM (Glamorgan, Rhondda): I cannot let this opportunity pass without entering my protest as a Welshman against the Bill now before the House, though I agree with what has been said by several hon. Gentlemen on both sides of the House, that this Bill is, to a great extent, an improvement upon all its predecessors. The Bill appears to me to be like a cat-o'-nine-tails without its fangs, or a serpent without its sting. Those who have opposed, for four years at least, the passing of previous Tithe Bills, are to be congratulated upon the success of their opposition, which is shown by the introduction of the mild Bill which is now before the House. Mild as it is, however, it is as much a Welsh Bill as the previous Bills have been. It is as much a Bill of pains and penalties to Wales as any of its predecessors. Now, our case as Welshmen is in a nutshell. We do not object to the payment of tithes as such, we believe with you, Sir, the tithe is a reservation of a part of property in land for national purposes and national uses, and were it devoted to any such purposes the Principality, the Welsh people, would be as good payers of tithe as are to be found in any part of the United Kingdom. But, as it is, the strong and overwhelming sentiment and reason which has led to the resistance of the payment of tithe in Wales is the sense of injustice in respect to the way in which tithe is applied. I assure the House with the honesty of a Welshman, with the honesty and sincerity due to the House, that the present Bill, nor any other Bill, will not remove the difficulty, nor abate one iota of the repugnance to payment of the tithe, until the money so paid is applied to Welsh national purposes. On the other hand, what is the object of this Bill? Is it not to support the Church in Wales and other parts of the Kingdom, so that the Church, in its turn, will support the Government? Probably that is the real view and intention of many hon. Members, but they would not care to state it in this House, or out of it. The noble Lord the Member for Darwen, however (Lord Cranbourne), in his letter to the *Times*, on July 8th, had the honesty to state the real object of passing the Tithes Bill in the House. He plainly stated that in the interests of the Tory Party the Government ought to carry the Bill. I question very much if the Bill will make the collection of the tithe in Wales more easy. I also believe that the small freeholders in Wales will persist in their objection to the payment of tithe in future as much as ever they have in the past. I thought that in this Debate we were going to be spared the doleful cadence respecting the poor clergy in Wales; but the hon. Member for Bradford (Mr. Byron Reed) would have it out. I venture to assert, however, that in the parishes in Wales the hon. Member named not more than one-seventh or one-eighth of the people are church-going people. That being so, what have the people as a body to do with the poor clergy? Are the clergy not the clergy of the rich and wealthy people? Since they are, is it not the duty of the wealthy people to support them? Ought the wealthy people to ask the poor people, who have to support their own ministers, to support the clergy of the Church of England? There is no such claim on the poor people of Wales. It is time the cry against the Welsh people for not supporting the clergy should be done away with, for if there is any shame at all it attaches to the wealthy people who receive the clergy's ministrations, but are not prepared to pay for them.

(10.49.) THE POSTMASTER GENERAL (Mr. RAIKES, Cambridge University): I have been struck, as any listener would be struck, by the extreme inapplicability of the Amendment to the occasion on which it has been brought forward. It appears to me that it would be quite competent to any hon. Member to support the Amendment and also the Motion for the Second Reading of the Bill. There is nothing in the Amendment which traverses the Second Reading of the Bill, and there if nothing whatever in the Bill which is in any way concerned with anything in the Amendment. Therefore we have had the evening which might have been devoted to a useful discussion of a very practical measure devoted to a sort of preliminary canter on the question of Welsh Disestablishment. I venture in the first instance to make my protest against the waste of time. [*Cries of* "Oh, oh!"] Yes, hon. Members will have an opportunity of entering into the question of Disestablishment, whenever it is brought forward in a real and practical shape. Every speech made to-night, since that of the hon. Member for Suffolk, has really had no practical bearing on the Second Reading. I wish hon. Members, if they deny the truth of that statement, to answer me a very simple question. The Amendment states that tithes are national property, to be devoted to national purposes, and that the tithe rent-charge in Wales ought to be applied in accordance with the constitutionally-expressed wishes of the people of the Principality. Assuming that to be the case, is that the smallest reason or argument why the House should not pass a measure for making the recovery of tithe more efficient? If hon. Members opposite are really in earnest in the propositions they have embodied in the Amendment, they ought to be the foremost supporters of the Bill if they wish to preserve this so-called national property. I venture, however, on behalf of the Government, to traverse the proposition absolutely that the tithe is national property. What are the arguments put forward this evening in support of that proposition? The hon. Member for Montgomeryshire (Mr. S. Rendel), who is, at least, as much an alien in Wales as the Church, put forward as his argument in favour of regarding the tithe as national property, that if it was not national property Parliament would not be legislating about it. But does not the hon. Member see that that argument goes rather too far?

*MR. RENDEL: I beg the right hon. Gentleman's pardon. I referred undoubtedly to the fact that the Government are legislating for tithe in a manner which shows, according to my interpretation of their action, that they base their legislation upon the principle of its being national property, and I referred in particular to the third clause as justifying that statement.

MR. RAIKES: That may have been the meaning the hon. Gentleman intended to convey, but I took down his words, and what he did say when dealing with the question of tithe being national property, was, "On what other ground could Parliament be justified in dealing with the tithe?"

*MR. RENDEL: In dealing with tithe in the particular manner in which the Bill deals with it.

MR. RAIKES: Just so. Well then I wish to point out that if the fact of Parliament dealing with tithe constitutes it national property, then the whole of the property of all the railway shareholders in this kingdom is national property. We may take another instance. This House has dealt in a very drastic manner with the property of Irish landlords, but it has not yet gone so far as to say that landed property in Ireland is national property. I think we must really have a better argument than the fact that Parliament is proposing to legislate upon the question to justify the extreme assumption that tithe is national property.

*MR. RENDEL: I beg pardon for again interrupting the right hon. Gentleman, but I must respectfully submit that I have not put forward so absurd a proposition as that merely legislating on the subject of tithe makes it national property. I have pointed to this legislation alone. I quite agree that it would have been an admirable preamble to the Bill to say that tithe is national property, but I have never stated the proposition which the right hon. Gentleman attributes to me.

MR. RAIKES: I pass to the argument used by the right hon. Gentleman the member for Denbighshire (Mr. Osborne Morgan). He says he has always believed tithe to be national property since the right hon. Gentleman the Member for Mid Lothian (Mr. Gladstone) in 1869 referred to the property of the Church of Ireland as having been always the property of the nation, and spoke of the clergy of the Church as being only the medium through which the property was administered. This may be all very well for those who found their faith on the *ipsi dixit* of the right hon. Gentleman the Member for Mid Lothian, but it does not appear to me to be sufficient. We have to go further back to get at the point. The hon. Member for Flint (Mr. S. Smith) has told us that this became national property because it was so ordered by Charlemagne, but I am not aware that the laws of Charlemagne were ever current in this realm. I demur to this being considered national property. On the contrary, every one who examines the history of tithe foundation will find it was specially and entirely given for religious use. It was given to the parish in each case. It has never been national property; it has always been parochial property. It has never been given to the State, and it never formed any part of the property of the State. I must apologise for stating these self-evident truths; but so much sophistry has been employed during the Debate that it is necessary to clear the air by downright assertion, which I challenge anybody to controvert. Well, hon. Gentlemen opposite have tried to minimise the disturbances which have taken place in Wales, but they have not been able to altogether make away with them. They have told the House that Mr. Justice Wills made a certain declaration as to distraint for tithes; that there is nothing unlawful in subjecting oneself to distraint for tithe. Of course not; the unlawfulness begins with resistance to the process of law for the recovery of tithe. A man may refuse to pay any debt, and there is nothing illegal in that, but he acts unlawfully when he resists the legal process by which it is sought to recover the debt. It is because unfortunately, in the Principality of Wales chiefly, there has been a disposition to resist the recovery of just debts by legal process, and this resistance has been carried so far that it has been found necessary to consider how the law may be amended, and amended in such a way as to preserve property of the greatest possible value to the Church, to which it now belongs, and which would be of the greatest value to the nation if the nation is ever prepared to confiscate it; which will at the same time not give undue advantage to tithe-payers, while reserving the rights of tithe owners, yet tending to make the payment of tithe somewhat more easy, to relieve those who pay it, at least in some degree, by the mode in which it is paid. That is the position of the Government by this Bill, and this is the principle underlying every measure on the subject introduced during the present Parliament. I, for one, do not regret that we have been obliged from time to time to postpone consideration of this question, and I think our opponents are fairly entitled to the credit of having by their criticism enabled the Government to bring in the Bill in a form which is admitted to be less objectionable to them. The Debate has been conducted almost wholly by Welsh Members, and particularly by younger Members of the House. It is always interesting to have a Debate conducted almost entirely by new Members, but I may in a friendly manner warn those hon. Members that if they continue to sit here, as I hope they may, 25 years hence they may find some of their speeches delivered in their hot youth rising up in judgment against them when the speakers of to-night are of more matured views, and have had longer experience of political life. Some of the speeches made this evening rather smack of the platform than of utterances we are accustomed to associate with debate in the House of Commons. I do not wish to criticise in an unfriendly manner speeches of gentlemen who have come in hot haste from their constituencies. I am glad they should come here and ventilate opinions where they may be met with argument and subjected to criticism from an independent Press, which is not bound always to justify to the letter everything said at a Welsh meeting, provided it is spoken in the vernacular. A point has been made as to the absence of violence during the last few months in the unfortunate differences which have arisen in Wales, and I am glad to admit that there has been a less exhibition of violence in Wales during the last few months. I was particularly struck by the observation of a Welsh Member, who said that there were no people in the world who would so readily maintain the integrity of the tithe as the Welsh, provided it was destined to some Welsh object of which they approved. It seems to me that might be said of any person who wishes to make free with his neighbour's property. He can always pretend to respect the integrity of that property when he gets possession of it. If a man takes a sovereign from my pocket it is poor evidence of his honesty to tell me that he is prepared to preserve the integrity of the sovereign, and will only devote it to purposes of which he thoroughly approves. But admitting there has been rather less demonstrative violence displayed in Wales during the last few months against the collection of tithe, a very important reason for this seems to have been overlooked by hon. Gentlemen opposite. Have they considered that the violence which has occurred on former occasions has greatly deterred the clergy from endeavouring to enforce their just rights? Have they not the frankness to admit that it has been made really impossible for the clergy to face the expense of recovering what is justly theirs? I will venture, in connection with this, as hon. Gentlemen have endeavoured to minimise the sufferings inflicted on the clergy, to give some figures quoted by the President of the Board of Trade when moving the Second Reading of the Bill last Session. Speaking on March 27, my right hon. Friend said—

> "It is impossible to obtain full statistics because they can be obtained only from individual tithe owners, who would be reluctant to state their losses lest they might be made a ground for additional losses in future. But I have the facts with regard to 75 parishes in the diocese of St. Asaph, and I will state them to the House. In those parishes during the two years 1888 and 1889 a sum of £38,918 of ecclesiastical tithe was due. Of that sum £10,230 remains unpaid, and £3,000 has been expended in compelling payment of the rest. Now, I can show that that non-payment has not been due to a general inability to pay, but that the tithe has been purposely withheld in large proportions in individual cases. Of these 75 parishes in 42 between 10 and 20 per cent. is unpaid; in 19 parishes between 20 and 30 per cent.; in 7 parishes between 30 and 40 per cent.; in 4 parishes between 40 and 50 per cent.; and in 3 parishes between 50 and 60 per cent."

That is evidence of the tender solicitude for the poor rural clergy so touchingly attested by many hon. Gentlemen in the course of the Debate. It has been observed by hon. Members opposite that the poor clergy of Wales ought not to starve because they belong to such a rich community. The hon. Members opposite think it right to take away from those poor clergy that which is legally their due in order to make them the recipients of charity. That is what hon. Members opposite call charity and that is what they call honesty. I think it is well this should receive full consideration. We have heard hon. Members declare that the objection is to the payment to the Ecclesiastical Commissioners and to Christchurch, Oxford, but there is no disposition to refuse payment to the poor rural clergy. Why, then, has all this terrible suffering fallen on the rural clergy? Christchurch can take care of itself; the Ecclesiastical Commissioners can take care of themselves. It is upon the weak and defenceless humble clergy of Wales that the blows of these defenders of the integrity of tithe fall with merciless severity. I, for one, should be extremely ashamed to come forward as the apologist of such proceedings as have taken place in Wales during the last few years. The hon. Member for Flint says that only a few ignorant people have ever thought that they could get out of payment of tithe altogether, but I am inclined to think there are rather more of that opinion than he would have us suppose. What is the meaning of the title of "The Anti-Tithe League" if it does not mean that the Association is formed for the purpose of getting rid of the tithe altogether, instead of for merely altering its destination? How can those who, like the right hon. Gentleman the Member for Denbigh (Mr. Osborne Morgan), know perfectly well everything that takes place in connection with the "Anti-Tithe League" stand up and profess that they and their friends are actuated by the desire only to divert the tithe to some other purpose, when they know what Mr. Gee has been teaching and preaching in the County of Denbigh for years? I hope now the air has been cleared that the Bill will be considered on its merits, and I almost cherish the hope that the hon. Member (Mr. Stuart Rendel) may, after what has been said, see that it is quite possible for him to retain his own opinion and yet not refuse a Second Reading to the Bill. He will have an opportunity of bringing his question forward on the Preamble. I hope that this Bill will be considered on its merits, and that, notwithstanding the sham fight with which the Government is threatened, when the measure gets into Committee this very useful and practical piece of legislation, which has received the approval of the great majority of this House, will speedily become law.

*(11.15). SIR GEORGE TREVELYAN (Glasgow, Bridgeton): The Postmaster General has brought against my right hon. Friend and his colleagues in the representation of Wales what is a very serious charge in an assembly of practical men—that this Amendment is not applicable to the Bill. The Amendment is a Welsh Amendment; the Bill has its origin in Welsh causes. The Bill is a remedial measure for Wales, and we shall see how this remedial measure is regarded by Representatives from Wales, and I must own that I doubt whether the speech of the Postmaster General—a speech which I am bound to say was marked by those deep feelings with regard to Church questions we know the right hon. Gentleman has held through life—I doubt very much whether that speech will commend the Bill to the people of Wales. Now, this Bill is brought in to apply to the whole country over which in England and Wales the Church exists. It affects the whole country, but the causes are from Wales, and from Wales alone. If England were only concerned, this Bill would be utterly uncalled for, and this point I earnestly desire to press upon hon. Members. If England alone were concerned, there would be no reason whatever for the Bill. No argument has been given to show that in England there is any reason for altering the process of getting in the tithe because in England there is no moral or religious difficulty whatever in the payment of tithes. I do not refer to exceptional cases, such as those in which members of the Society of Friends and others are concerned, but in England the difficulty consists, wherever there is a difficulty, in there being little or nothing from which to pay tithe—the inability of the farmer of the land to meet the payment of tithe. Now, that difficulty is very much greater than the Government have been willing to confess. I am sorry the hon. Member for Maldon (Mr. Gray) did not devote a greater part of his speech to giving us instances of the very practical suffering that exists in some parts of the Eastern Counties. Under the original Corn Laws when exceptional advantages were given to corn growers, great breadths of country were laid down under corn, which in these Free Trade days have gradually passed out of corn cultivation until what remains can no longer be cultivated with profit; but nevertheless the land bears the weight of tithe, because it bore corn in the old days, when the price of corn was high. I have it on the authority of a newspaper which both sides recognise that there are six farms together in one county—Wilts, I think, where the tithe together amounts to fully half the rent. The difficulty in England is inability to pay the tithe; and this Bill does nothing worth mentioning to aid the farmer, the landlord, and the small yeoman occupier. What does Clause 3 do? When the tithe rent-charge amounts to two-thirds of the

annual value of the land under Schedule B the tithe shall be reduced. What is Schedule B? It is the gross rent of the land. Now, I appeal to the right hon. Gentleman opposite are there many estates in England so happily situated that all the expenses of management, including building and fencing, do not amount to 33 per cent. of the gross rental? The experience of my friends in different parts of the country is that before the fall in rents the expenses of management were 25 per cent., and now they are 33 per cent. Therefore the expenses practically represent the 33 per cent. or third which is to be deducted under the third clause from the gross value; so that the concession made by the Government is that the tithe rent-charge shall not be reduced until the whole of the net rent is taken up in paying it. So far as England is concerned, there is no need for the Bill, and it gives no relief to the tithepayer and no advantage to the tithe owner; but in Wales there is the religious difficulty; there the farmers are unwilling to pay for the support of the religion of a rich minority by these tithes, which constitute the entire religious endowment of the country. It is said no arguments have been adduced to show that the tithes are national property. They are undeniably public property, and therefore they ought to be devoted to public purposes in which all are interested, and not to public purposes for the benefit of only a section of the public. In free and representative countries, when difficulties arise, the custom is to consult the people or their Representatives. Now, my hon. Friend has brought forward his proposal for dealing with the difficulty to devote this money in Wales to the general purposes of Wales. The Government, on the other hand, press forward their solution in the shape of this Bill. We are now going to a Division, and it will be interesting to look at the Division List to see how many of the Representatives of Wales and of Monmouthshire are satisfied with the solution of this question proposed by the Government, and how many prefer the solution suggested by the Amendment.

(1.30.) The House divided:—Ayes 224; Noes 130.—(Div. List, No. 4.)

Main Question put, and agreed to.

Bill read a second time, and committed for to-morrow.

MR. DILLWYN (Swansea, Town): When will the Committee stage of the Bill be taken?

THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): I hope it will be possible to take it to-morrow after the Irish Land Bill.

POLLEN FISHERIES (IRELAND) BILL.
(No. 91.)

Bill considered in Committee.

(In the Committee.)

Clause 1.

Committee report Progress; to sit again upon Thursday.

MOTIONS.

STEAM ENGINES AND BOILERS BILL.

On Motion of Mr. Seton-Karr, Bill to provide for certificates to persons in charge of Steam Engines and Boilers on land, ordered to be brought in by Mr. Seton-Karr, Sir Roper Lethbridge, Sir George Baden-Powell, Mr. Coghill, Mr. Burt, and Mr. Fenwick.

Bill presented, and read first time. [Bill 134.]

PUBLIC TRUSTEE BILL.

On Motion of Mr. Howard Vincent, Bill for the appointment of a Public Trustee, ordered to be brought in by Mr. Howard Vincent, Mr. Warmington, Sir Albert Rollit, and Mr. Bradlaugh.

Bill presented, and read first time. [Bill 135.]

SOLDIERS' AND SAILORS' ELECTORAL DISABILITIES REMOVAL BILL.

On Motion of Mr. Jeffreys, Bill to remove certain Disabilities of Soldiers and Sailors to be registered as Electors at Parliamentary Elections, ordered to be brought in by Mr. Jeffreys, Sir Walter Barttelot, Mr. Cornwallis, General Fraser, General Goldsworthy, Sir Edward Hamley, and Mr. Whitmore.

Bill presented, and read first time. [Bill 136.]

SHOP HOURS BILL.

On Motion of Mr. Provand, Bill to amend the Law relating to the employment of Women and young persons in Shops, ordered to be brought in by Mr. Provand, Mr. Whitley, Mr. Jennings, Mr. Channing, and Mr. Samuel Smith.

Bill presented, and read first time. [Bill 137.]

STEAM BOILERS BILL.

On Motion of Mr. Provand, Bill to amend the Law relating to Steam Boilers, ordered to be brought in by Mr. Provand, Mr. Octavius V. Morgan, Mr. William Abraham, and Mr. Howell.

Bill presented, and read first time. [Bill 138.]

DWELLING HOUSES RE-LETTING (SCOTLAND) BILL.

On Motion of Mr. Provand, Bill to amend the Law relating to the re-letting of Dwelling Houses in Scotland, ordered to be brought in by Mr. Provand, Mr. Baird, Mr. Edmund Robertson, and Mr. Caldwell.

Bill presented, and read first time. [Bill 139.]

House adjourned at a quarter before Twelve o'clock.

HOUSE OF LORDS,

Tuesday, 2nd December, 1890.

QUEEN'S SPEECH—HER MAJESTY'S ANSWER TO THE ADDRESS.

THE LORD STEWARD OF THE HOUSEHOLD (The Earl of MOUNT-EDGCUMBE) reported Her Majesty's Answer to the Address as follows :—

"Your loyal and dutiful address has given great satisfaction. I feel well assured that you will give your earnest consideration to the measures that will be submitted to you, and that no efforts will be wanting on your part to promote by wise legislation the welfare of my people."

The Address and Answer ordered to be printed and published.

ROLL OF THE LORDS.

THE LORD CHANCELLOR acquainted the House that the Clerk of the Parliaments had prepared and laid it on the Table; the same was ordered to be printed. (No. 9.)

INTERMEDIATE SCHOOLS, &c., SITES BILL.—[H.L.] (No. 3.)

SECOND READING.

Order of the Day for the Second Reading read.

*LORD STANLEY OF ALDERLEY: The Bill to which I am going to ask your Lordships to give a Second Reading is practically a reprint of the Public Worship and Burial Sites Act, so that there is little room for criticism either for or against its wording. There are no less than five places in Anglesey which are claiming now to have intermediate schools; and throughout the rest of Wales the desire for their establishment is so great as to amount almost to a craze. A noble Lord who belonged to a former Government once said that the best support they got was unwilling support, and I am bound to say that the support which I give is rather unwilling, for though I bring the matter forward, it is not so much in accordance with my own feelings upon it as that I think the demand requires it. I, therefore, hope as the Intermediate Schools Act has been passed that your Lordships will facilitate its operation. If your Lordships should pass this Bill, I think it would be desirable not to have to bring the matter forward again in reference to technical schools, and that you should allow those schools to be included as well as intermediate schools. And it is not only that technical schools should be considered, but I may remind your Lordships that the Borough of Salford is asking for the establishment of continuation schools, and threatening to bring in a Bill next year upon the subject. Probably those schools would be something like the intermediate schools in Wales. In order to include technical schools and some others, I have put in these words—

"Sites for intermediate schools or other schools, sanctioned by Act of Parliament, receiving aid from the rates or from the Consolidated Fund."

Those words, I think, will cover the technical schools or any others which the Legislature may sanction in future, and will not go beyond them. There is another point in this Bill which I should mention: I have included in it sites for market buildings. I do not mean thereby to affect market rights in any way; but there are many towns in England where there are no market rights, and which have no market buildings, and where covered market buildings are required. I do not think I need say anything more at present in explanation of the Bill. I hope your Lordships will read it a second time.

Moved, "That the Bill be now read 2a."—(*The Lord Stanley of Alderley.*)

THE PRIME MINISTER AND SECRETARY OF STATE FOR FOREIGN AFFAIRS (The Marquess of SALISBURY): My Lords, I think this is a new matter. From what I gathered from the description of my noble Friend of the Bill itself I see nothing in it to which I object at first sight, but I think it ought to be submitted before being passed into law to the machinery provided by the Committee presided over by the noble and learned Lord opposite (Lord Herschell). The measure deals in some respects with a new principle; and I was a little alarmed as to the provisions for acquiring sites for market buildings. I do not know exactly how far that might go, or what confusion it might not introduce. At all events, I think it is a Bill which your Lordships may fairly read a second time now, but I think it should be submitted to the Standing Committee.

On Question, agreed to.

Bill read 2ª (according to Order).

HARES PRESERVATION BILL.

[H.L.] (No. 4.)

SECOND READING.

Order of the Day for the Second Reading read.

*LORD STANLEY OF ALDERLEY: My Lords, this Bill is identical with the measure which your Lordships passed last year for the purpose of providing a close time for hares in England, Scotland, and Wales, with the exception of one verbal alteration which was made in another place substituting the word "section" for "clause." I ask your Lordships to give a Second Reading to the Bill.

THE MARQUESS OF SALISBURY: I think your Lordships may safely, and I trust the "other place," as the noble Lord has called it, may also pass this Bill; as we have already considered it, there will be no necessity, I believe, to refer this measure to a Standing Committee.

Bill read 2ª (according to Order), and committed to a Committee of the whole House on Monday next.

ARCHDEACONRY OF CORNWALL BILL.

[H.L.] (No. 8.)

SECOND READING.

Order of the Day for the Second Reading read.

*THE EARL OF MOUNT-EDGCUMBE: As this Bill has been several times passed through all its stages in this House, I will simply now move that it be read a second time.

Bill read 2ª (according to Order), and committed to a Committee of the whole House on Monday next.

THE PRICE OF BREAD IN ITALY.

QUESTION—OBSERVATIONS.

*LORD STANLEY OF ALDERLEY, in rising to ask the Secretary of State for Foreign Affairs if he would obtain from

some of Her Majesty's Consuls in Italy Returns of the price of bread during the year preceding the increase of Import Duty on wheat in Italy, and during the present year, said: My Lords, Her Majesty's Consul at Leghorn reported some time ago that the duty on wheat in Italy had been raised from 30 fr. to 50 fr. a ton; that is equivalent to about 9s. a quarter, which is rather higher than the augmented duty in France. The same Consul also expressed most dismal forebodings as to the increase in the price of bread which he thought would ensue in Italy. Whether that is so or not can easily be proved if the noble Marquess will be so good as to obtain information from some of Her Majesty's Consuls in some of the principal towns in Italy as to the price of bread previously to the augmentation of duty, and later prices, as may be most convenient. I would ask my noble Friend to request the Consuls in particular at Turin, Genoa, Naples, and Leghorn to send him Reports. Those, I think, will be sufficient. If I can do so without appearing to belong to the Irredenta Party I would also ask for some Returns, if they can be obtained, from Trieste, as that is a great centre of the grain trade.

THE MARQUESS OF SALISBURY: We shall be very glad to furnish the noble Lord with all the information it is in our power to obtain. Instructions will be sent to some of the Consuls, as he suggests, on the subject; but I think, perhaps, the most convenient way for the noble Lord to obtain the information he desires is to move for a Return in the terms he thinks best, asking particulars from the Consuls whose names he has mentioned.

THE SCALE OF PUNISHMENTS.

QUESTION—OBSERVATIONS.

*LORD NORTON, in rising to ask Her Majesty's Government if they would introduce early this Session the Bill which they had had prepared two years ago to restore to the scale of punishments on the Statute Book the three years' term of penal servitude which was unfortunately omitted by the Act of 1879, so as to make a regularly ascending series of sentences to various kinds of imprisonment capable of adjustment to the gravity of offences, and to fill up the gap which often leaves Magistrates and Judges to choose between a punishment too light or too severe for the case before them, said: My Lords, I have put this question to my noble and learned Friend sitting on the Woolsack in two Sessions, and I have been assured on both occasions that a Bill has been prepared. I know that a Bill has been prepared for this purpose, and I hope it will at last be forthcoming. Although it is a very short Bill, yet its importance I venture to say is in inverse ratio to its length. It cannot be opposed, for it has no possible ground of opposition in it from any part of this House, and though I know we have been called together for the purpose of considering special measures, this Bill could in no way impede their progress. The restoration of the middle term of our code of secondary punishments is called for by Magistrates, Judges, and especially by the Prison Commissioners connected with the Home Department. The gradations of imprisonment, and of its severer form called penal servitude, ought to be regulated in an ascending scale in proportion to the gravity of offences. The gap which now exists is simply owing to a mistake made in 1878, when a sudden panic arising from an increase of crime led the Committee who inquired into the subject to recommend the legislation which was passed in 1879, omitting this smaller term of penal servitude. The consequence is, that there is now a gap in the series of secondary punishments, which to a very great extent stultifies the administration of justice. If an offender deserves a severer punishment than two years' imprisonment, the Judges can sentence him to nothing short of five years' penal servitude; and in cases where offenders do not deserve so heavy a punishment they cannot be sentenced to anything more severe than two years' imprisonment. I know that, happily, crime is decreasing, owing to the advance of education and to reformatories, and still more to the Discharged Prisoners Aid Society. It seems to me a very great pity that there should be any impediment offered in the way of such improvement by a flaw in the administration of justice. I cannot understand why this Bill, which has been so long prepared, and to which nobody anticipates the slightest opposition, should be any longer delayed. The effect of this imperfect code of punishments is obvious in the number of re-commitments of offenders who have received inadequate sentences, and in the frequent remissions of too long sentences. I hope your Lordships will be assured by my noble and learned Friend on the Woolsack that this Bill will at last be introduced this Session.

LORD HERSCHELL: My Lords, I would support the appeal which has been made by my noble Friend opposite. It is connected with a matter to which I drew attention in the course of last Session, and is a point, I think, of very considerable importance, and upon which it is desirable that there should be no further delay. I think it has been clearly shown by the Prison Commissioners that the change has caused mischief. This gap in our list of punishments arose from a misapprehension, and they point out the mischievous consequences to which it has given rise. I cannot think there will be anything but a good result from its being rectified.

THE LORD CHANCELLOR: I have received a communication from the Secretary of State for the Home Department, who has informed me not only that the Bill has been prepared, but that he is anxious it should be brought before your Lordships. There is, I think, a misapprehension in the mind of the noble Lord that the Bill refers only to the matter to which he has called attention. There are other matters also included in it. The Secretary of State is very desirous, as soon as the state of business will allow, to lay the Bill before the House.

LORD HERSCHELL: I might ask my noble and learned Friend to consider whether, if the Bill includes matters which are likely to be of a controversial character, it might not be advisable to separate them from this other question, which might be allowed to stand and be dealt with by itself, leaving the other matters to be dealt with in a separate Bill.

THE LORD CHANCELLOR: I did not intend to intimate that the other matters in the Bill will be matters of controversy. I hope they will not. I meant that, owing to the change which will be thus made in the Criminal Law, it will be necessary to introduce other matters, and it would be inconvenient to have two separate Bills on the subject. I only desired to point out to the noble Lord that he must not assume that this is the only provision in the Bill.

DURATION OF SPEECHES IN THE HOUSE OF LORDS BILL [H.L.].

A Bill to ascertain and limit the duration of Speeches in the House of Lords—Was presented by the Lord Denman; read 1ª; to be printed; and to be read 2ª on Monday next. (No. 14.)

House adjourned at five minutes before Five o'clock, to Thursday next, half-past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, 2nd December, 1890.

MR. SPEAKER'S CONTINUED ABSENCE.

The House being met, the Clerk at the Table informed the House that Mr. Speaker was again unavoidably prevented from taking the Chair of the House this day.

Whereupon Mr. Courtney, the Chairman of Ways and Means, proceeded to the Table; and, after Prayers, took the Chair as Deputy Speaker, pursuant to the Standing Order.

QUESTIONS.

INDIAN POLICE FORCE—MR. WILLIAM M'GRATH DRYSDALE.

Mr. SAMUEL SMITH (Flintshire): I beg to ask the Under Secretary of State for India whether his attention has been called to the case of Mr. William M'Grath Drysdale, who has served for 20 years in the Indian Police Force; whether he has been dismissed from the Service because he declined to comply with the following orders:—

> "1st. To abstain from preaching to natives in the Nissar or any other district while you hold the position you do in the Punjab Police; 2nd, To abstain from addressing any of your subordinates on religious matters, in their lines or anywhere else, when your official status and their relation to you as subordinates cannot be put aside;"

whether the Government of India make it penal for any of their servants to preach Christianity to the natives during their private time; whether the Government of India also make it penal for Mahomedans or Hindoos in their service to preach their respective religions during their private time; whether Mr. Drysdale is also deprived of his pension; and whether the pension of Civil Servants in India is earned by deduction from their pay, and is their own property?

Mr. MARK STEWART (Kirkcudbright): I beg also to ask the Under Secretary of State for India if his attention has been called to the case of William M'Grath Drysdale—namely, that, after 20 years of faithful service, he has been discharged without compensation or pension, because, after office hours, he was found preaching the Gospel; and if he will state what course Her Majesty's Government propose to adopt under the circumstances?

The UNDER SECRETARY of STATE for INDIA (Sir J. Gorst, Chatham): Perhaps I may be allowed to answer the two questions at the same time. The removal of Mr. Drysdale from the Punjab Police Force seems to have been the result of a long correspondence between that officer and the Punjab Government as to the consistency of his acts and intentions with the Queen's Proclamation of 1888, enjoining those in authority under Her Majesty to abstain from all interference with the religious belief or worship of any of Her Indian subjects. The Secretary of State is at present in possession of an epitome only of that correspondence, and that not extending to the date of Mr. Drysdale's removal from office. The Government of India has been asked to report all the facts of the case. As regards the last paragraph of the question of the hon. Member for Flintshire (Mr. S. Smith), no part of the pension of an Indian police officer is earned by deduction from his pay.

*Mr. S. SMITH: I should like to point out that I have received no answer to several of the paragraphs of my question. May I ask for an answer to these paragraphs—

> "Whether the Government of India make it penal for any of their servants to preach Christianity to the natives during their private time?"

And

"Whether the Government of India also make it penal for Mahomedans or Hindoos in their service to preach their respective religions during their private time?"

SIR J. GORST: I thought from the answer I have given that the hon. Member would understand that I have not yet received full information. I am expecting further details, and I should not like to commit myself to any statement in their absence.

*MR. S. SMITH: Will the right hon. Gentleman be kind enough to inform the House of the information when it comes from India?

SIR J. GORST: Yes, Sir; certainly. The moment the information comes from India I shall be happy to inform the House of it.

CHILD MARRIAGES IN INDIA.

MR. SAMUEL SMITH: I beg to ask the Under Secretary of State for India whether the Government of India have under consideration measures to diminish the evils of child marriages?

SIR J. GORST: The best mode of dealing by legislation with this difficult subject has been for some time engaging the anxious consideration of the Government.

AGRICULTURAL EDUCATION.

MR. COBB (Warwick, S.E., Rugby): I beg to ask the President of the Board of Agriculture whether the Board of Agriculture have yet formulated the complete scheme for the development of agricultural education, according to the intimation which he gave to the hon. Member for the Rugby Division in February last; whether it is intended to increase the grant of £5,000 for such education; and when the Government propose to carry out the recommendation of the Royal Commission on Agricultural and Dairy Schools that a central normal school of agriculture should be established in the neighbourhood of Rugby?

*THE PRESIDENT OF THE BOARD OF AGRICULTURE (Mr. CHAPLIN, Lincolnshire, Sleaford): The subject of agricultural education is dealt with by a number of different authorities, and I have found it impossible, under the circumstances, to formulate at present any scheme, which could be described with accuracy as complete, for the development of agricultural education, which must, in any case, be gradual. I am prepared, however, on the proper occasion, to make proposals which will entail some addition to the existing grant, and to which I hope to obtain the consent of my right hon. Friend the Chancellor of the Exchequer. I do not, I may add, contemplate the establishment of a central normal school of agriculture maintained and equipped by the State, at all events at present.

MR. HERBERT GARDNER (Essex, Saffron Walden): What will be the amount of the addition?

*MR. CHAPLIN: I said some addition.

DUTCH CATTLE.

MR. CHARLES DARLING (Deptford): I beg to ask the President of the Board of Agriculture whether the Dutch Government have notified that the cattle of the Netherlands are now free from foot-and-mouth disease; and whether, in these circumstances, he can give any indication as to the date at which the present Order, prohibiting the importation of Dutch cattle, can be revoked, and their import allowed?

*MR. CHAPLIN: Yes, Sir. We received a notification from the Government of the Netherlands that the Vaals District was free from foot-and-mouth disease on the 11th of November; but the disease is prevalent in Belgium, near the frontier, and I am advised that a sufficient time has not yet elapsed since the receipt of this notification to justify me in at once removing the prohibition on the importation of animals from the Netherlands; but there will be no desire, I can assure the hon. Member, on the part of the Board to continue the present restrictions beyond the time at which they can be relaxed with safety.

KING JA JA.

MR. PICTON (Leicester): I beg to ask the Under Secretary of State for Foreign Affairs whether he will inform the House as to the circumstances under which King Ja Ja of Opobo, who was deported to St. Helena in 1888, has lately been restored to his own country?

*THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir J. FERGUSSON, Manchester, N.E.): Ja Ja was not deported to St. Helena, but to St. Vincent. He has not been restored to his own country. Arrangements are being made for his transfer to another West Indian Island, as a change of climate is advised by his doctor; but it is not considered that it would be prudent at present to allow him to return to Opobo.

*SIR W. FOSTER (Derby, Ilkeston): May I ask what grounds there are for retaining this foreign King Ja Ja outside his own dominions?

MR. DEPUTY SPEAKER: Order, order!

ADMINISTRATION OF THE OIL RIVERS DISTRICT.

MR. PICTON: I beg to ask the Under Secretary of State for Foreign Affairs whether he will acquaint the House as to the nature of the proposed changes in the administration of the Oil Rivers District, which the Secretary of State for Foreign Affairs informed the Aborigines Protection Society to be in contemplation last July, and which it is reported are now to be carried out by Major W. C. Macdonald on his appointment as Consul at Old Calabar?

*SIR J. FERGUSSON: The details are not yet settled. The principle will be a continuance of Consular administration, with a sufficient staff to perform the necessary duties.

CASE OF CATHERINE HARDWICK.

MR. BRADLAUGH (Northampton): I beg to ask the Secretary of State for the Home Department whether he has had his attention drawn to the case of Catherine Hardwick at Sleaford, fined £10 or two months' imprisonment for child desertion; and whether, under the circumstances, he can recommend a remission of the fine?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): My attention has been drawn to this case by the question of the hon. Member. I have communicated with the Magistrates, and can assure the hon. Member that I will give my best consideration to the matter, and let him know the conclusion I arrive at.

*MR. BRADLAUGH: As the woman is in custody, and it may take a considerable time before a decision is arrived at, is it not desirable to release her until the settlement is come to?

MR. MATTHEWS: There will be no delay. I hope to be able to arrive at a conclusion to-morrow.

TRAMPS ON OAKUM CAGES.

MR. ALFRED THOMAS (Glamorgan, E.): I beg to ask the President of the Local Government Board whether his attention has been called to a paragraph in the *Star* on the 26th instant:—

> "Tramps on Oakum Cages.—At Bishops Stortford to-day three tramps named Harris, Sullivan, and Crowley were charged with refusing to pick oakum at the workhouse. The prisoners, in defence, said the oakum cages were in a field on bare ground. They were exposed to the weather, and a human being would die if placed there for 24 hours. It was snowing, and they refused to go into the cages, but offered to break stones. They could not sit down, except on the bare earth, and they asked the Magistrates to condemn the cages. It was stated, on the other hand, that the cages had been passed by the Government Inspector. The Magistrate said he could not interfere, and sentenced each man to seven days' imprisonment;"

and whether other provisions should be made in view of the present inclement season?

*THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE, Tower Hamlets, St. George's): My attention has been called to the paragraph referred to; but it does not, as I am informed, accurately represent the facts. The vagrants were placed in wooden sheds, roofed and enclosed on three sides and partly on the remaining side. These sheds were not placed in a field, but alongside and adjacent to the workhouse. The vagrants were not required to sit upon the ground, as stools were provided, and the floor is not of the common earth, but of chalk concrete. The sheds, however, appear to have admitted of an unnecessary exposure to wind and weather. They were not passed by the Inspector of the Local Government Board. On the contrary, he informed the porter and labour master (who were with him owing to the master being unwell), on the occasion of a visit on the 12th of last month, that the sheds should be altered so that they might be less exposed, and requested that the old stonebreaking sheds might be used until they were altered. I am informed that the matter is to be brought before the Guardians at their next meeting, and in the meantime the use of the sheds has been discontinued.

PUBLIC ROADS—BARBED WIRES.

MR. BRUNNER (Cheshire, Northwich): I beg to ask the President of the Local Government Board whether he has been informed of a second death in Cheshire this year caused by blood-poisoning following upon a wound from barbed wire, which second death was inquired into by the Coroner for West Cheshire in September; and whether he will now undertake legislation, with a view to prevent the use of barbed wire by the sides of public roads and footpaths?

*MR. RITCHIE: I have not received any information as to a second death in Cheshire this year caused by blood-poisoning following upon a wound from barbed wire; but if the hon. Member desires it, I shall be glad to obtain the depositions at the inquest in the case.

MR. BRUNNER: I shall be obliged if the right hon. Gentleman will do so.

THE FACTORY AND WORKSHOP ACT.

MR. BAUMANN (Camberwell, Peckham): I beg to ask the Secretary of State for the Home Department whether it is his intention to introduce a Bill to amend the Factory and Workshop Act of 1878?

MR. MATTHEWS: It is my intention to introduce a Bill as soon as the state of Parliamentary business will allow.

PROHIBITION OF A NORTHAMPTON MEETING.

MR. BRADLAUGH: I beg to ask the Secretary of State for the Home Department whether he has during the Recess corresponded with the Northampton Magistrates with reference to the prohibition of a meeting intended to have been held in the Market Square; whether he will state the effect of that correspondence; and whether he will lay it upon the Table of this House?

MR. MATTHEWS: I have had a correspondence with the Northampton Magistrates on the law relating to public meetings, and I have no objection to lay it on the Table.

*MR. BRADLAUGH: I will move for it.

CEYLON—EXPENDITURE.

SIR ROPER LETHBRIDGE (Kensington, N.): I beg to ask the Under Secretary of State for the Colonies whether any, and what, decision has been arrived at by Her Majesty's Government as to the contribution to be paid by Ceylon towards the Military expenditure incurred in the Island, especially with reference to the expenditure incurred for Imperial purposes on Trincomalee, one of the head-quarter stations of the British Navy in Indian waters?

THE UNDER SECRETARY OF STATE FOR THE COLONIES (Baron H. de WORMS, Liverpool, East Toxteth): The matter is under the consideration of Her Majesty's Government.

COMMERCIAL TREATIES.

SIR ROPER LETHBRIDGE: I beg to ask the Under Secretary of State for the Colonies whether representations have been received from any of the Colonial Governments objecting to those clauses in our Commercial Treaties with some Foreign Powers that impose restrictions on the fiscal relations between the Colonies and the United Kingdom; and whether any, and what, steps will be taken by Her Majesty's Government to meet the wishes of the Colonies in this respect?

BARON H. DE WORMS: Such a representation has been received from the High Commissioner for Canada and the Agents General of the Colonies under responsible Government, who will have an opportunity of explaining the views of their Governments to the Committee appointed by the Board of Trade to consider certain questions arising out of the approaching expiration of various European Commercial Treaties.

SIR ROPER LETHBRIDGE: Arising out of that answer, may I ask further whether the correspondence will be laid upon the Table of the House?

BARON H. DE WORMS: I am afraid that I cannot promise that.

MERCHANDISE MARKS COMMITTEE.

MR. HOWARD VINCENT (Sheffield, Central): I beg to ask the President of the Board of Trade if he has determined in what way he can give effect to the recommendation of the Select Committee on Merchandise Marks of last Session, as to the prosecution by the Board of Trade of offenders against the Act of 1887?

*THE PRESIDENT OF THE BOARD OF TRADE (Sir M. HICKS BEACH, Bristol, W.): I have determined to give effect to the recommendation of the Committee referred to by the hon. Member as to the prosecution of offenders against the Merchandise Marks Act of 1887; but the best way of doing so is still under consideration. I hope, however, shortly to be able to announce the decision arrived at in the matter.

THE BATTLE OF INKERMANN.

MR. BAIRD (Glasgow, Central): I beg to ask the Secretary of State for War whether it is the case that on the 5th November last, the anniversary of the battle of Inkermann, a number of old Guardsmen who had served in the Crimea were invited to attend guard-mounting parade at Wellington Barracks, but on arriving there found the gates closed and admittance refused to them; and, if so, whether he can give any explanation of the occurrence?

*THE SECRETARY OF STATE FOR WAR (Mr. E. STANHOPE, Lincolnshire, Horncastle): The old Guardsmen were not invited by any recognised authority, and as an intimation was given to the Major General Commanding the Home District that the occasion was to be made use of for a public demonstration in favour of an increase to their pensions, and as he very properly regarded such a demonstration in the barracks as contrary to discipline, he ordered the gates to be closed.

WELLINGTON BARRACKS.

MR. BARTLEY (Islington, N.): I beg to ask the Secretary of State for War whether Colonel Gascoigne's Report upon the condition of the married soldiers' quarters at Wellington Barracks was brought to his notice before the recent fire?

*MR. E. STANHOPE: No, Sir. Colonel Gascoigne's Report was not brought to my notice. During my visit to Wellington Barracks in July last I examined these buildings, amongst others, and it resulted in my deciding that these married soldiers' quarters should be pulled down as soon as other quarters could be found for the families. I have made inquiry into the reasons why this Report was not brought to my notice, and I find that, so far from its being a special Report of an urgent character, it was a Report suggesting dealing with these quarters as a service to be brought forward only when the Estimates for the year 1891-2 were being considered, and it would, in the ordinary course, have been brought to my notice in January next.

SUAKIN AND THE SOUDAN.

SIR RICHARD TEMPLE (Worcester, Evesham): I beg to ask the Under Secretary of State for Foreign Affairs whether it is true, as announced in the *Times* of 26th November, that the trade between Suakin and the interior of the Eastern Soudan is practically closed; what are the circumstances under which, last August, the gates of Suakin were closed to trade with the interior, thus depriving the Hadendowas of the supplies of grain needed by them in consequence of the failure of their crops last season; whether there is truth in the statements that have been publicly made as to the intention of the Egyptian authorities to renew operations against Osman Digna and the Mahdists in the Soudan; and whether measures will be adopted with a view to putting an end to the disturbances which have existed in the Eastern Soudan during past years?

*SIR J. FERGUSSON: Trade between Suakin and the interior has been suspended since last August in consequence of the precautions which it was necessary to take against cholera; but orders have been given that as soon as these precautions were no longer necessary, all persons should be allowed to come to Suakin and buy grain. Exception is made only where there is good reason to believe that the supplies are intended for the support of the Dervish force. The renewal of military operations in the Soudan referred to by my hon. Friend is not contemplated by the Egyptian Government.

PROFESSOR KOCH'S CURE FOR CONSUMPTION.

SIR WALTER FOSTER (Derby, Ilkeston): I beg to ask the Under Secretary of State for Foreign Affairs whether the Government will take steps to obtain from the Government of Germany, at the earliest possible date, a supply of Professor Koch's fluid for the treatment of tubercular diseases, and distribute the same to recognised public institutions in the United Kingdom?

*SIR J. FERGUSSON: By directions from Her Majesty's Government, the Ambassador has applied for some of Professor Koch's fluid for use in this country. He has reported that the quantity available is as yet small, and that the subject is not under the control of the German Government.

SIR WALTER FOSTER: Will the right hon. Gentleman take into consideration the last paragraph of the question?

*SIR J. FERGUSSON: No doubt the Agricultural Department, with whom the matter lies, will do their best to distribute the fluid when it is procured.

*SIR WALTER FOSTER: Why is the Agricultural Department the authority?

*SIR J. FERGUSSON: I understand that the Agricultural Department has applied for a supply of the fluid.

LAND PURCHASE IN IRELAND.

MR. JOHN MORLEY (Newcastle-upon-Tyne): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland what amount of the £10,000,000 voted for Land Purchase in Ireland now remains unappropriated?

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): I have not yet received a specific Report on this question. The latest figures before me represent the position on October 31, 1890. The balance of the £10,000,000 available at that date for further applications was £1,659,022.

MR. J. MORLEY: How much is left unsanctioned?

MR. A. J. BALFOUR: The amount applied for was £9,355,919. If from that you deduct the £1,014,941 refused you get £8,340,978, which leaves for further appropriation £1,659,022.

THE TIME OF THE HOUSE.

MR. BRADLAUGH: May I ask the First Lord of the Treasury if his attention has been drawn to the fact that the House has sat from 3 to half-past 3 with nothing to do, and whether that course is considerate either to the officers of the House or the Members? There can be no Private Business before the House during the present portion of the Session, and we might meet a little later or commence business a little earlier.

*THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): I am obliged to the hon. Member for calling my attention to the matter. I am aware that we are acting in this matter according to old usage. I will, however, consult with the officers of the House, and take an early opportunity of mentioning the result.

NEW WRIT.

For Nottingham County (Bassetlaw Division), *v.* William Beckett, esquire, deceased.

MOTIONS.

CORPORATE ASSOCIATIONS' PROPERTY BILL.

On Motion of Mr. Howell, Bill for the better securing their property to Corporate Associations, ordered to be brought in by Mr. Howell, Mr. Causton, Mr. Cremer, Mr. Beaufoy, Mr. Sydney Buxton, Mr. Lawson, Mr. Pickersgill, Mr. Rowlands, Mr. Bolton, Mr. Stuart, and Mr. Montagu.

Bill presented, and read first time. [Bill 140.]

HOP SUBSTITUTES BILL.

On Motion of Mr. Brookfield, Bill to provide for the declaring of Hop Substitutes in the brewing of beer, ordered to be brought in by Mr. Brookfield, Mr. Herbert Knatchbull-Hugessen, Mr. Pomfret, Sir Edmund Lechmere, Mr. Rankin, and Mr. Channing.

Bill presented, and read first time. [Bill 141.]

FALSE MARKING PREVENTION BILL.

On Motion of Mr. Howard Vincent, Bill for the further prevention of fraud by false marking, ordered to be brought in by Mr. Howard Vincent, Mr. Gray, Mr. Brookfield, Mr. Morris, Mr. Johnston, Mr. Farquharson, Mr. Byron Reed, Mr. Dixon-Hartland, Mr. Baumann, Colonel Bridgeman, Mr. Knatchbull-Hugessen, Sir John Colomb, and Mr. Maclure.

Bill presented, and read first time. [Bill 142.]

DURATION OF SPEECHES (PARLIAMENT) BILL.

On Motion of Mr. Atkinson, Bill to limit the Duration of Speeches in Parliament, ordered to be brought in by Mr. Atkinson and Sir Roper Lethbridge.

Bill presented, and read first time. [Bill 143.]

MARRIAGES OF NONCONFORMISTS (ATTENDANCE OF REGISTRARS) BILL.

On Motion of Mr. Atkinson, Bill to render unnecessary the Attendance of Registrars at the Marriages of Nonconformists, ordered to be brought in by Mr. Atkinson, Sir John Colomb, Mr. Lafone, Mr. Hoyle, Mr. Howard Vincent, and Mr. Knowles.

Bill presented, and read first time. [Bill 144.]

PARLIAMENTARY ELECTIONS (VOTES OF SEAMEN) BILL.

On Motion of Mr. Atkinson, Bill to enable Master Mariners, Engineers, Seamen, and Fishermen to vote in the election of Members of Parliament, in the same way as Masters of Arts do now in Parliamentary elections for the Universities, ordered to be brought in by Mr. Atkinson, Mr. De Cobain, Mr. Maclure, Mr. Grotrian, Mr. Howard Vincent, and Mr. Ainslie.

Bill presented, and read first time. [Bill 145.]

ORDER OF THE DAY.

PURCHASE OF LAND AND CONGESTED DISTRICTS (IRELAND) BILL.—(No. 111.)

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. A. J. Balfour.*)

*(3.53.) MR. J. E. ELLIS (Nottingham, Rushcliffe) moved, as an Amendment—

> "That, inasmuch as the Government have advised the landlords in Ireland to combine, strengthened their already exceptional power of eviction, and freely placed at their disposal the forces of the Crown to evict for the non-payment of unjust rents large numbers of those to whose toil the rental value of their holdings is chiefly due, and have also passed and ruthlessly administered a law of exceptional nature to prevent combination on the part of the tenants, and whereas, as a result of this policy, equality of conditions as between buyer and seller has been greatly impaired, and the landlord's interest is maintained at an artificial value, and it is not proposed by the Bill to invest any Irish authority with control over the transaction, this House declines to pledge the credit of the country to the scheme proposed by the Bill as being alike unsafe to the Imperial Exchequer and unjust to the Irish occupier."

I hope the meaning in the Resolution I rise to move is clear. It is to declare that by the policy of Her Majesty's Government a certain species of property is maintained at a more or less fictitious value, and that therefore it would be unjust to ask the Imperial Exchequer to advance money upon that property. I do not regard this matter upon the present occasion from the point of view from which undoubtedly it may be regarded. I do not move the Amendment or claiming to be either a statesman as a philosopher, but I desire to present it to the House from a strictly practical and business point of view. By this Bill we are proposing to use British credit. Now, I do not understand that there is any use in credit unless it involves a certain amount of risk, and therefore I hold that we are bound, representing the taxpayers as we do, to examine carefully the security on which we are using the credit of the country. I wish to take exception to certain assumptions one hears on every hand. We are told that it is a good thing in itself to put an end to what is called dual ownership of land in Ireland, and that there is great need for a great measure of land purchase. I take an emphatic objection to those assumptions. I am not prepared to say that under no circumstances would I bring British credit to the aid of some of the unfortunate tenants in Ireland, but, as to any large system of land purchase in Ireland, the more and more I reflect upon the matter I am satisfied that it is absolutely unnecessary. What is called the dual ownership of land was not originated by the Act of 1881. It existed long before that. There are districts in Ireland where the relations between landlord and tenant are excellent and have been just; and I am by no means prepared to say that we should, on a large scale, destroy that state of things where it has been established. The question of putting an end to what is called dual ownership depends entirely on the circumstances of each case, and does not require any far-reaching measure of this kind. I say, in my Amendment, that the Government have advised the landlords of Ireland to combine. I do not think that will be disputed when we recollect that the Duke of Abercorn went last year as the Official Representative of the Landlords' Convention to the Marquess of Salisbury, and that the latter used some very significant language. He said—

> "I may say, in the first place, that I am very glad to see the results of the Convention of Landlords in this deputation, that I congratulate the landlords on the united action that they have taken, and, however inconvenient it may in the future prove—I hope it will not—to me as a Member of the Government, on wider and more general grounds I am glad of the spirit and unanimity which they have shown."

The Amendment goes on to say that the Government has strengthened the already exceptional powers of eviction of the landlords. Those who are familiar with the debates on the Irish Land Question in either House know perfectly well that since the Union that has always been one of the standing grievances of the Irish people. It was insisted upon over and over again by Daniel O'Connell, and the Bessborough Commission of 1881 said—

> "In many instances principally in connection with the Law of Ejectment, powers have been conferred upon the landlords in Ireland that have no existence in England."

It is a remarkable thing that where the landlord has done almost nothing to create value in the holding he has the strongest power to evict those who have created the value. But this was not sufficient for Her Majesty's Government. By Section 7 of the Land Act of 1887 they strengthened the power of the Irish landlords in this respect. They enabled them by a letter in a registered envelope to absolutely determine the right of a tenant to a holding. Now, what use has been made of this power? From the 1st of January, 1888, to the 31st December, 1889, there were no less than 18,816 of these notices given in Ireland. By these notices the tenants were deprived of their property in the holding. I wish I could convey to the House an adequate idea of the depth of perplexity and despair these registered letters have produced among Irish tenants, depriving them as they did of all legal title to the holdings on which they and their forefathers were born. It will not be disputed that the forces of the Crown have been freely placed at the disposal of the landlords in carrying out evictions. We all know that the present President of the Board of Trade (Sir M. Hicks Beach), when Chief Secretary for Ireland, found himself obliged to apply to the landlords a certain amount of pressure without the law in order to stay evictions. Yet these evictions have been one of the titles of the present Chief Secretary to having carried out a resolute policy in Ireland. The number of evictions to the 31st March, 1887, were 4,941; to the 30th of June, 8,952; to the 30th September, 4,143, and to the 31st of December, 509; making a total within the year of 18,545. Equally beyond contradiction is the assertion of the Resolution that evictions have largely been for the non-payment of unjust rents; and I do think we ought to have been in possession of figures clearly showing how many evictions were for non-payment of non-judicial rents. Then we have passed a law of an exceptional nature, which the Judges have declared creates new crimes in a manner altogether unprecedented. I invite the House to say that the Act has been ruthlessly administered, and, if any one doubts the applicability of the term, I respectfully ask him to consider the tribunals which have administered the law. I have no hesitation in saying that it is an insult to the gentlemen who are in Her Majesty's Commission of the Peace in Great Britain to call the myrmidons of the right hon. Gentleman opposite Magistrates. The nature of tribunals, the selection of particular individuals, the manner in which evidence is obtained, the mode in which the charge is framed, the character of the witnesses, the way in which they give their evidence, and last, but not least, the prison treatment of those convicted, amply justify the word "ruthless" in my Amendment. Up to the 31st of March last, 2,239 persons were convicted under the Act, not for crimes in the ordinary sense of the word, but for having either directly or indirectly endeavoured to preserve their property in land—these 2,239 persons have been convicted in what Lord Salisbury has happily called a land war—a struggle between the occupiers and the owners for the preservation of the rights of property. I think that when the right hon. Member for Newcastle (Mr. J. Morley) ceases to vex his soul about land purchase and begins to do that for which he is so admirably fitted, write the history of these times, he will find no better word than "ruthless" to describe the manner in which the Act has been administered. I say in the Resolution that the object of this law, so exceptional and so administered, has been to prevent combination on the part of the tenants. On the 22nd of April, 1887, Lord Salisbury said—

> "We have offered to the other House of Parliament a measure certainly not marked by hesitation in order to put a stop to criminal combinations."

There was no hesitation, but the word "criminal" begs the question, for in many cases the crime was only created by the sign manual of the Lord Lieutenant. That is the gravamen of my complaint — namely, that it has been the steady and unswerving policy of Her Majesty's Government to put the Act into operation against one side, and one side only. What can be the only outcome of such a state of things? I ask the House to affirm that the equality of conditions as between buyer and seller has been greatly impaired, and the landlord's interest is maintained at an artificial value. If any one imagines that the present state of the land laws provides a remedy, I would ask his attention to a case which was tried in Dublin quite recently in connection with the matter—"Lawlor *v.* Godley." The plaintiff, on the 21st of November last, having a case before the Land Commission, writes to say—

> "In succession to my father I hold this farm, and up to the present have been paying a rent of £357, whilst the valuation was £245. During the tenancy, permanent improvements to the value of £2,700 were made, a large share of the expenses being since 1877. All this was admitted by the landlord."

Various valuers, gentlemen of the highest standing as agriculturists in the County of Dublin, fixed the fair rent at £196, £171 10s., £122 10s., £183 15s., and £139 5s. Mr. Lawlor goes on to say—

> "To-day the Sub-Commissioners fixed my rent at £275, the Chairman stating that he was reluctantly obliged by his interpretation of the law to levy rent upon my own improvements. In other words, the capital that I have expended—and the expenditure was admitted to be essential for the proper working of the farm—becomes the property of the landlord, and in addition I am to pay him a large sum annually on account of it. It is as if I, having made him a present of nearly £3,000, were obliged to pay him year after year for keeping it. You will observe that the law, as expounded by the Dublin Sub-Commissioners, is not satisfied with confiscating my money; it orders me to pay what would be something like an exorbitant interest, if I had borrowed it, or if the improvements had been made by the landlord. This may be law, but I do not think that the justice of it is apparent."

*MR. MACARTNEY (Antrim, S.): Will the hon. Member give the name of the Sub-Commissioner or of the Chairman of the Sub-Commission?

*MR. J. E. ELLIS: I can only give the name of the case—"Lawlor *v.* Godley"—which, perhaps, will be sufficient. This precisely illustrates the root of the whole matter. It is a dispute as to whom certain property belongs. I say now then that as far as a Government could do it, by your policy you have impaired, and in many cases destroyed, that state of things by which a man, having freely entered into a contract, is not only legally but honourably and morally bound to observe its conditions. I admit that only a small number of holdings have been put up for sale for non-payment of purchase instalment. £5,000,000 or £6,000,000 have been advanced under the Ashbourne Acts, and 2s. in the £1 of this has up to now been paid without much difficulty. But I do not think a banker would feel his bills were being well paid if on Christmas Day he found 30 per cent. of those which fell due yesterday still unpaid. I assert that we are only at the beginning of the matter. I invite the attention of the House to the Returns 81 for 1888-9 and 115 of 1890. If hon. Members will turn to the first Return they will see that it contains the only accurate account of the financial dealings under the Ashbourne Acts. A careful examination of the Return will amply repay hon. Members. I see that to December, 1888, there were 8,861 holdings, with a value of £195,495 and a rental of £214,971, which were sold for the sum of £3,792,532. To the 31st of March, 1890, 3,336 holdings, valued at £78,863, with a rental of £85,448, were sold for £1,418,193. I direct particular attention to the proportion which the valuation and the rental bear to each other—that is to say, that each holding is charged £10 rent for £9 valuation; and, as it has been admitted by the Attorney General for Ireland, that the tenant's property in the holding sometimes exceeds that of the landlord, we may take it that he is really paying £20 a year for that which the valuer declares to be only worth £9. And now I come to an illustration of the state of things in Ireland drawn from evidence given before this House. There was a Select Committee appointed in 1889, and re-appointed this year, to inquire into the condition of the Irish estates of the London Companies. At page 49 of the Report an official of the Land Commission, Mr. Murrough O'Brien, gives most instructive evidence. He says—

> "I conclude from my examination of these cases that the contracts entered into were obtained by intimidation and undue influence, and that they were entered into under duress."

Mr. Commissioner Lynch afterwards, in a Judgment which will be found in the Report, expressed a very strong opinion as to the fraudulent transactions in question. These are illustrations of what is going on in Ireland at the present moment. I have in my possession a large amount of evidence, but I will not trouble the House with it to-day, because I freely admit that it is evidence that ought to be strictly investigated. Evidence has reached me that there are numerous cases in Ireland in which the tenants find that they have already given a great deal more for the land than it is worth, and that they are struggling against financial burdens from which they ask to be released. The landlords, aided by the Government to a large extent, are doing everything they can to exact from the tenants that which is unjust. You have the inability on their part to get relief from the Land Courts, and you have, under such circumstances, a position of things in which the offer of a large sum of British credit is a dangerous thing. I might perhaps hardly obtain credit from the Government or Members opposite when I say that I do not move in this matter primarily from a party point of view. I believe these proposals will settle nothing. I believe they will unsettle everything. I believe they are fraught with danger to future social order and peace in Ireland. We might take a warning from what happened in the case of the Encumbered Estates Act, which was the outcome of a wave of philanthropic emotion which passed over this country in consequence of the fearful horrors of the Irish famine. If ever a Bill was brought before the House out of pure philanthropy, the Encumbered Estates Bill was. The first judgeship under that Act was offered to a distinguished man of the denomination to which I belong—the Quakers. And the whole of the Quaker body set itself heart and soul to make the Act a success. Never was there in the history of Irish legislation a more disastrous failure than the Incumbent Estates Act. It conferred no relief on Ireland. On the contrary, it did a great deal of harm, because it enabled persons in this country and in Ireland to buy, through the ignorance of Parliament, property which belonged not to the persons who sold it, but to those who had created it. I believe from the bottom of my heart, after all the attention I have given to this matter, that we shall be perpetrating a similar blunder if we accede to a great scheme at the present moment for what is mis-called land purchase in Ireland. It is in the unshrinking conviction that this Bill will lead us along a road which will end in disappointment and trouble that I have to move the Resolution which stands in my name.

MR. DEPUTY SPEAKER: Will the hon. Gentleman bring up his amended Amendment? The original Question was, "That this Bill be now read a second time," since which it has been been moved in order to insert—

> "That, inasmuch as the Government have advised the landlords in Ireland to combine, strengthened their already exceptional power of eviction, and freely placed at their disposal the forces of the Crown to evict for the non-payment of unjust rents large numbers of those to whose toil the rental value of their holdings is chiefly due, and have also passed and ruthlessly administered a law of exceptional nature to prevent combination on the part of the tenants, and whereas, as a result of this policy equality of conditions as between buyer and seller has been greatly impaired, and the landlord's interest is maintained at an artificial value, this House declines to pledge the credit of the country to the scheme proposed by the Bill as being alike unsafe to the Imperial Exchequer and unjust to the Irish occupier."

The Question is that these words proposed to be left out stand part of the motion.

(4.35.) MR. W. E. GLADSTONE (Edinburgh, MidLothian): Sir, the hon. Member has proposed his Amendment in a speech, I think, of great ability. He has opened up portions of this difficult and complicated question in a manner that will tend to assist the deliberations of the House. For myself I do not intend to go over any wide field; I shall endeavour to imitate the Minister who introduced the Bill in limiting my observations to what I think needful in the circumstances of the case so far as I am myself concerned. I shall not revert to historical matters connected with the condition of this question at former periods, nor shall I think it necessary to express an opinion one way or the other as to the necessity, real or supposed, of a large measure of land purchase in Ireland. It is enough for me to look at the case as we have it before us. On the responsibility of the Executive Government an extensive and important measure is proposed, and the line which I am disposed to follow is this —that, viewing that action on the part of the Government of the country, I shall not enter into any abstract question, but limit myself to this proposal. I should not think it right to offer opposition to a Bill so proposed excepting upon the ground that the objections were of a nature requiring and warranting that opposition upon the merits of the case. I do not in these circumstances interpose any preliminary objection to the proposals of the Bill. Other gentlemen, I have no doubt, may do so; but I must bear in mind that this proceeding is, after all, to a great extent in the nature of a continuation of the proceedings of last Session. We then had a discussion upon this Bill, and I think a very useful and by no means unduly protracted discussion. Considerable progress was made at that time in ascertaining and exhibiting its character, and all I have to ask myself is whether the objections that were then taken to the measure by myself and others who thought with me still hold good, or whether, the right hon. Gentleman having made changes in his measure, it can be said those changes are of such importance that they call upon us to deviate from the course we then took. The changes introduced by the right hon. Gentleman are not numerous, and only with one exception are all important. The most important change, as I understand the matter, which the right hon. Gentleman intends to make is the removal of the 20 years' limit; and besides that, if it be generally desired by the House of Commons, the Government will give a control on the part of Irish Counties over a portion of the securities that are to be pledged, that control to be exercised in the form of a *plébiscite* of the ratepayers. I said over a portion of the security, and I am bound to say that if I were going to enter into a detailed argument I should strongly contend that there was no ground whatever for drawing a distinction between two classes; but I will not trouble the House upon this subject now. There is something tantalising in the character of this proposition, which is not in the Bill, but which is held out to us as a kind of inducement and reward to pass the Bill. If we only show a large amount of inclination and desire in favour of this Bill, that disposition will be met in this way. But it is only right we should, at any rate, know what is the change which the right hon. Gentleman is ready to introduce into the Bill. I have not the least doubt he will make it perfectly clear in the course of the Debate, but the proposal is obviously capable of assuming forms essentially different. From its being a control to be exercised in the nature of a *plébiscite*, it is quite obvious it is not a control such as was usefully suggested by my right hon. Friend the Member for West Birmingham, which control was intended to apply *seriatim* to the different transactions, and to establish an effective form of interference where it seemed to be required, for the purpose of stopping a transaction in the carrying out of which local responsibilities seem to be involved. It is manifest that it cannot be a proposal of that kind. Well, then, what kind of a proposal is it? The words of the right hon. Gentleman are capable of being understood in either of two ways. It may be that the ratepayers will have the opportunity of stating *simpliciter* whether certain contingent funds shall be made liable for the obligations of the British Government, or whether they shall not, and that their negative upon the liability of these funds will have no effect whatever on the course of the transaction. In that case it would have no other effect than that of weakening the securities, such as they are, that are provided. Still, stating the case as I gather it from the partial statement already made, it may be also that this proceeding, withdrawing a considerable portion of the securities, may have the effect of thereby stopping land purchase in the county when the vote was taken.

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): Yes; that is so.

MR. W. E. GLADSTONE: I understand from the right hon. Gentleman that that is his meaning, and that is undoubtedly an important provision. Before considering how far such a provision may be workable, I should like to see it in definite form, so as to be able to pass a judgment upon it. For the present it is quite enough for me to say it is not in the Bill, and, not being in the Bill, I am totally unaware what may be the state of opinion in the House with regard to the probability of obtaining its introduction into the Bill. There is another point which I took last year which I am not in a position to enter upon to-night. I then stated, and I think the opinion was a sound one, that in my judgment the House would commit a great mistake if it passed a large measure of land purchase for Ireland in opposition to the decided convictions and persevering opposition of the Irish Members. Undoubtedly last year their convictions were hostile to the kind of measure then introduced; and in the peculiar circumstances of the present moment we have no information from them, and I shall not dwell upon that point. The other change proposed to be introduced, which may be fairly considered of an important character, is the removal of the 20 years' limit; and the right hon. Gentleman ingeniously observed that that removal was recommended by my right hon. Friend the Member for Newcastle. Yes, sir, but it was recommended by my right hon. Friend in conjunction with a strong contention on our part that there ought to be introduced into the Bill an effective control by an Irish authority—not merely a negative such as the right hon. Gentleman by a *plébiscite* proposes to supply on the general question whether the Act should operate within the county or not—but that there ought to be an effective control over the particulars of these transactions. It may be that if a control such as was recommended by the right hon. Member for West Birmingham were introduced, then the removal of the 20 years' limit would be a valuable change in the Bill. I will not enter upon that question; but I attach weight to the judgment of those who formed that opinion. But if no effective control is introduced over particular transactions, it is quite plain that the removal of the 20 years' limit is a change in the nature of distinct deterioration. My hon. Friend has said, and said wisely, that he was not governed by party considerations in framing the Amendment he has proposed. I made no secret of it that it would be, in my opinion, a great advantage, a narrowing of the ground, a clearing of the issues, a lightening of the task that may be in prospect, if upon any tolerable terms this land question could for a time, at all events, be put out of the way. That, of course, would not justify us in adopting measures which appear to us in principle objectionable. I will, however, say that, having had the opportunity of stating all these objections on former occasions, I do not intend to dwell upon them at any period of the discussion of this Bill. Though from its necessary complications it may require some considerable portion of the time of the House, at no period ought the provisions of such a Bill to be discussed except with strict regard to its provisions, and never in the slightest degree for any ulterior purpose drawn from a political motive. I adhere to the opinion that I gave utterance to in the last Session of Parliament in respect of the pledging of the credit of the British Government. I do think —I may be wrong, but it is my opinion —that this Parliament was returned upon an honourable understanding, to say the least, with the constituencies of the country that it would not pledge the credit of the British Treasury. I will not enter into the merits of that question in the abstract. It is undoubtedly a very large pecuniary boon to the country, although, like many of our pecuniary boons to Ireland, it may be given in such a form that, instead of being an advantage or a real favour or benefit, it might, on the contrary, appear to be in the nature rather of an injury, and heap up and accumulate claims of Ireland against us. I think, indeed, that Ireland has just claims against us, and if I am to give the use of British credit as the means of meeting those claims, it must be in such a way as to make it largely beneficial to Ireland at large, and not in any way to confine it to a limited portion of the population. In the present Parliament I must say I am at a loss to know how it is that Gentlemen opposite conceive themselves to be at liberty to make a proposal of this kind. I know that there were those who went strongly against the question of British credit being pledged in 1886—and my right hon. Friend the Member for West Birmingham was one of them—but who now say they are disposed in the present case, because of the different conditions and securities which are attached to this new proposal, to support the Bill. I make no doubt of the good faith of those Gentlemen, but how can they say that the personal security of the Irish occupier under the power of eviction which is to be conducted on the part of the British Treasury is a better security than the positive absolute possession in the hands of the British Executive, with the entire public revenues of England and the whole force of the Crown at its back? I am aware that a certain number of tenants have undergone a process analogous to eviction—that is to say, their interests in their holdings have been sold for the satisfaction of British claims. There are between 20 and 30 of such cases. That may be so, but this may be a question of tens or even hundreds of thousands. I for one am not prepared to rely on the security of evictions conducted at the suit of this country. As soon as the dimensions of the subject have reached a stage such as to give it somewhat of the international character which it assumes when a plan of this kind has been operated upon, it seems to me that it would be a most impolitic course to adopt to open a new source of possible conflict and collision at the point of greatest delicacy and irritability, the most morbid point in the whole state and condition of Ireland—namely, the relations of landlord and tenant. To do so would place the Treasury absolutely for the first time in that new relation, except in those cases under the Bright Clauses of the Land Act which deal with select individuals, and on a very limited scale, where I admit there is a possibility of a similar relation. The question of the want of an Irish authority, in my opinion, goes nearly to the root of the whole matter. As far as I am concerned, were the views of the right hon. Member for West Birmingham really embodied in the Bill, and an effective control over the terms of those sales given to an Irish authority, it would alter, I frankly admit, my attitude with respect to it. I should still have the difficulty I have stated as to the pledging of British credit, but, assuming the judgment of the House to be largely in favour of such a scheme, and assuming, on which I give no opinion, that Ireland did not object, and looking at it from the point of view of a member of this House, I should feel that the intervention of such an authority was a change of inestimable value. It would take away a very large portion of my objections to the Bill. We have had since last Session important evidence on this subject in the declarations of the purchasing tenants who have come forward to state the circumstances under which they have made their arrangements. The allegation of the tenants is that in these transactions they are not able to meet the landlords on terms of equality because of the unhappy omission from the Land Act of 1887 of the consideration of arrears of rent. That omission appears to me to have gone far to vitiate the entire basis on which landlord and tenant should deal with regard to those purchases. That authority would supply a national guarantee almost invaluable, but independently of that authority I know not how to answer the allegations of those purchasing tenants who say, "It is true we purchased certain land and entered into a certain agreement, but we did it because the only alternatives were purchase or eviction." I think it is impossible to deny that those objections both justify and require a vote hostile to the second reading of this Bill. I must refer to another point which I think of the greatest importance, although at the same time I do not take entirely the same view of it as of those I have already mentioned, because it is possible a material Amendment may be introduced if the Bill is fairly handled by the House in Committee. I refer to the manner in which the enormous fund which it is proposed to create by the employment of British credit is to be disposed of as between those who may be considered the just claimants on that fund. When we proposed the Bill of 1886 we felt that it was most important to avoid the arbitrary selection of one set of tenants who might be more limited or extended, but who in any case must for a great number of years continue to be a select and favoured class; we thought it most important to avoid the risk of making their position so exceptionally favoured that it would be a source of social danger to the country. I have been alluding just now to the want of security against oppression upon purchasing tenants. That is undoubtedly one objection, although we have had pointed out to us a mode in which that objection may be met; but the objection I make now proceeds on another supposition. No doubt, while there might be many cases in which the landlord took an unfair advantage of his position towards tenants in arrear to extort terms undoubtedly high, I have no doubt there are many cases in which terms would be fair, and where there were those fair terms an advantage would be given to the purchasing tenant, including the eventual acquiring of the fee simple of the land—an advantage of not less than 30 per cent. on the rent. Let the Government consider the consequences of this exceptional treatment on isolated cases. Take the case of two estates having only this difference between them—that one of them has a landlord who is willing to sell, and the other a landlord who refuses to sell. The landlord willing to sell applies, gives reasonable terms, and the transfer is concluded, and his tenants immediately are better off as compared with the tenants on the neighbouring estate to the extent of one-third of the sum that they paid before. How are you to expect that peace could prevail in such circumstances as these? How can you hope to maintain freedom if you create such inequality? I admit that inequality of this kind is to some extent involved in all these wholesale purchase Bills. There was none in the original Bright clause, but there is some of it in every Bill that has regard, and I am afraid it is impossible not to have some regard, to the work of what I have called the Socialistic Committee of the House of Lords appointed before the passing of the Land Act. But when we introduced the Bill of 1886 we tried to reduce this evil to a minimum. We tried to bring about that a full moiety should go not to the purchasing tenant individually, or as a class, but to Ireland as a whole. The right hon. Gentleman has given a certain recognition to that principle, but a recognition so narrow, feeble, and ineffectual that in my opinion it utterly deranges the balance of just claim as between the purchasing tenants considered as a class and the Irish community at large, and if I do not say that this consideration is conclusive against the Second Reading of the Bill, it is because I hope that we may carry some effective Amendment upon the subject in Committee, so strong are the considerations that bear upon it, so honest, just, and well-supported by good authorities—and not only by Home Rule authorities, but by other well-informed persons thoroughly conversant with the Irish land question—so great is the weight of the argument pointing out the enormous social danger to Ireland that would accrue from the lavish concession of so vast a boon to the purchasers as a class, accompanied with such a serious neglect of the interests of the community in which they live. I promised I would not long detain the House. I think I have said all that is necessary. My hon. Friend behind me has set out most of these considerations in his Amendment. I must own that I think it is very difficult to answer his arguments. If the House overrides them we shall do our best to assist in no factious spirit in improving, as far as we can, the details of the Bill. My right hon. Friend the Member for West Birmingham, in his speech last year, looked with a practical eye into the working of this measure, and although I am afraid I differ from him on the question of the employment of British credit, yet undoubtedly his proposals, if the Government may be induced to take a favourable view of them, would conciliate a very large portion of the people who object to the measure as it stands. Upon the grounds which I have endeavoured to explain without going into details at undue length, I shall give my cordial support to the Amendment of my hon. Friend, which goes to the root of the matter and is adverse to the Second Reading of the Bill.

(5.6.) MR. J. CHAMBERLAIN (Birmingham, W.): I should like, with the permission of the House, to say a few words at this stage. I follow my right hon. Friend not because I am anxious to follow the arguments which he has placed before the House, but because he has referred to me, and because I am anxious before the Chief Secretary replies that he should be in possession of my views in reference to a statement made on a previous occasion. My right hon. Friend has referred to two important changes in the nature of concessions which the Chief Secretary has made, or has offered to make, in the structure of this Bill. But my right hon. Friend has omitted all reference to another change, to which I attach great importance—namely, the concession which the Chief Secretary is prepared to make to the views expressed by the hon. Member for Cork as to some limitation of the area of the Bill. I understand that the Chief Secretary proposes to exclude — in addition to the other exclusions mentioned in the Bill —all pasture land and all land not actually in the occupation of a tenant. The hon. Member for Cork suggested in his speech that the limitation should be one of £50 valuation. It is interesting to examine how far the offer of the Chief Secretary meets the demand of the hon. Member for Cork. I recollect a speech delivered by the hon. Member some time ago, in which he said that in his view the limitation ought to be a limitation of £30 valuation, and that if the action of the Bill were limited in that way the total sum required would be under £80,000,000. As the hon. Member for Cork has now increased his limit to £50, it is not unfair to assume that in his opinion the sum required would be over £100,000,000. Now, I would like to know what would be the total amount required under the proposal of the Chief Secretary? If, as I believe from the best information I have, the limitation which he has proposed will reduce the total sum required under £100,000,000, it is perfectly evident that the concession meets the demand of the hon. Member for Cork, and will be one satisfactory generally to the House. Everybody feels that dealing as we are at the present moment with what after all is a limit of security measured by something like £33,000,000, it is desirable to make it go as far as possible, and to deal with the most urgent part of the problem. The second change made by the Chief Secretary is the proposed omission of the 20 years' valuation maximum in the purchase of property. I understand that that concession is not accepted as satisfactory by my right hon. Friend or the right hon. Member for Newcastle, and I strongly advise the Government to withdraw the proposed concession. I can understand that there may be argument on the other side with reference to this matter. It may be said, "If you fix a maximum of this kind it will always tend to be a minimum as well as a maximum." If, then, you think that 20 years' purchase is too much—as, in view of the working of the Ashbourne Acts, I am inclined to do—it is undesirable to impose a limitation in the Bill which would lead to that maximum being generally adopted. If, on the contrary, you think that 20 years' purchase is a reasonable price, and might with advantage be exacted, you may vote for the exclusion of any limitation at all; the question is so full of doubt that I repeat my recommendation that this concession, as it appears unlikely to conciliate anyone, should be withdrawn. Then we come to the most important of the concessions announced by the Chief Secretary in order to meet the objections made by various Members of the House. The objections which we took to the Bill as it stood were really of two kinds. One I would call a sentimental objection, and the other a really practical objection. The sentimental objection was this: We said it was a harsh and almost indefensible thing to pledge property which, to all intents and purposes, was the property of the Local Authorities without consulting those Local Authorities in any way. Of course, we meant that it was the property of the constituency that the Local Authority represents. I must say that the offer of the Chief Secretary meets absolutely that sentimental objection. If the suggestion that he has made were adopted, it would be impossible to say any longer that the constituencies whose property is concerned would not be consulted as to its application. I am inclined to agree with my right hon. Friend the Member for Mid Lothian, that when we come to discuss this question in Committee it will be difficult logically to establish any distinction between the two parts of the Guarantee Fund. I admit that the mere fact that hitherto what was called the cash portion of the Contingent Fund has not been in possession of the Local Authority, has nothing whatever to do with it. It undoubtedly belonged to the Local Authority, and was intended to be used for local purposes for the advantage of the constituency, and therefore was in the same category as the contingent portion, which was actually under the control of the Local Authority. I now come to what I call the practical objection to the Bill in its original form, to remove which I am afraid the offer of the Chief Secretary is not equally potent. It was twofold. In the first place, we thought that it was rather a dangerous thing to give these enormous advantages to a single, and, after all, a limited class in Ireland, at the expense of what belongs to the whole population. The whole of the ratepayers are interested in the security we seek to pledge, and the whole of the ratepayers, therefore, ought to derive some advantage from it if you wish them to look with a favourable eye upon the scheme. It may, of course, be said that they would all have the advantage that would arise from the tranquillity of the country. But as practical men we must all admit that they would see their interest much more clearly if it took the shape of something that would touch their own pockets directly. Therefore, I am anxious that a considerable proportion of the 30 per cent. which, under the Bill, will be made a gift to the purchasing tenants, should go in aid of the ratepayers generally. That is one reason why we want to see the intervention of the Local Authority, which should be pecuniarily interested in the success of the scheme. There is another reason: I think that the risk of this operation would be materially lessened if we had a Local Authority as a "buffer" between the State and the tenant. I have never concealed my objection to allowing the State to become the landlord in Ireland. I think that would be a dangerous position. I do not mean that it would involve a danger of loss of money to the taxpayer. Of course, the foundation of this Bill is the use of British credit. But though we admit that British credit is used, we do not admit that British credit is risked. That is a totally different thing. We hold that British credit would be used in the same way as the credit of the Bank of England is used in the case of bank-notes issued as against bullion, and that there is absolute security for every penny of British money which is used. We do not believe that there is any danger to the pocket of the British taxpayer. Let me on this point refer to the observations of my right hon. Friend. He says what many of his followers have less courteously said, that hon. Members who support this Bill are doing so in breach of faith; that they, or the majority of them, are pledged to their constituents not to use British credit for any such purpose as this. Let each speak for himself. I myself am absolutely free from any such charge. In my speeches and addresses to my constituents, from first to last I have stated my willingness to use British credit and to risk British credit, though I have always stated that I would not use or risk it for a country to be placed in the position of a foreign country. But it has been part of my own policy that it is right and politic to use British credit for the purpose of making the occupying tenant the owner of the soil not in Ireland alone, but throughout the United Kingdom. My conscience, therefore, is clear; I am prepared to use British credit, although I am very glad I am not called upon to risk it. But though there is no danger, in my opinion, to the purse of the British taxpayer, there is danger of great friction, of irritation, and of loss of what is the chief object of this measure—the tranquillity of Ireland. If you place the Imperial Exchequer in direct relation with the tenant, you almost tempt the tenant to resent the payment of his instalments, and tempt him to say that the price at which he was induced to buy was too high. A tenant would find plenty of persons like the Mover of this Amendment to support him in such a contention. Therefore, unless you can get the public opinion of Ireland—and it does not now exist—in favour of the payment of the full instalments, there will be a constant danger of irritation and trouble. By this plan which I venture to submit you would do a great deal to create such a just public opinion. You would have the Local Authority in the position of landlord, and knowing that if it collected the instalments in full it would thereby be securing a certain pecuniary advantage for the ratepayers at large; whereas, if it did not, an additional rate would have to be levied to make good the deficiency. By this plan you would have the ratepayers interested in the full payment of their instalments by those who had purchased under the Act. Would not the Bill be strengthened and improved by such a plan? My right hon. Friend referred to what I said on this matter on a previous occasion. I should not like to be held to every word I said at that time, because it is quite possible a better way may be found. I want to establish the principle. I admit that in the course of further consideration of the subject I have come to the conclusion that there would be some advantages in leaving to the Local Authority, or the constituents if you please, the one great question whether the Act should be put in force or not, but I do not think that it would be advisable for the Local Authority to consider each transaction. There is a good deal to be said in favour of a *referendum* on the larger question whether the Act should be put into operation, but the details, I think, should be left to be arranged by the authorities representing the State—the Land Commission and the Exchequer. I think that in the state of Ireland, if every transaction was to be separately canvassed by the Local Authority, there would be a possibility of all sorts of personal questions arising, which would interfere with the fair consideration of the different transactions. But after the terms of purchase had been arranged, it might be well to hand over to the Local Authority the duty of collecting the instalments and to place the Local Authority in the position of landlord until all the instalments had been paid. I gather from what the right hon. Gentleman has said that he is governed largely by the general consideration of his unwillingness in the present Parliament to use British credit without a further appeal to the constituencies. That is a consideration which does not govern me. I am free from any feeling of that kind, and, consequently, I shall have no hesitation in supporting the Second Reading of this Bill. When we come to Committee, and when this matter is raised, as it certainly will be, I hold myself at perfect liberty to vote for any Amendments which will carry out the ideas I have expressed. I know with what care the right hon. Gentleman the Chief Secretary has considered all propositions that have been made to him for the amendment of the Bill from all parts of the House, and I do beg him to re-consider his position in regard to this matter of the Local Authority, having regard to the fact that by so doing he would probably receive powerful support from the right hon. Gentleman the Member for Mid Lothian.

(5.30.) MR. A. J. BALFOUR: I had not intended to intervene so early in the Debate, but the speeches of the right hon. Gentleman the Member for Mid Lothian (Mr. W. E. Gladstone) and of the right hon. Gentleman the Member for West Birmingham (Mr. Chamberlain) necessitate some immediate notice from this Bench, and no Member on this Bench is so well acquainted with the details of this Bill as myself. I hope, under these circumstances, the hon. Member for Nottinghamshire (Mr. John Ellis) will forgive me if I do not spend much time in replying to his speech in support of his Amendment. I was not surprised either at his speech or at his Amendment. The lengthy Amendment he has placed on the Paper appears to me to be a very happy and concise summary of all the usual errors and logical confusions which do so much to render useless the speeches which are from time to time delivered on the land question both inside this House and out of it by Members of the Party of which the hon. Member is an ornament. I pass now, Sir, from these general statements to the particular criticisms passed on the Bill by the right hon. Gentleman the Member for Mid Lothian and the right hon. Gentleman who has just spoken, and I may begin by replying to the challenge, or rather the question, put to me by the right hon. Gentleman the Member for Birmingham. He dealt with the alterations—the important alterations, as he rightly termed them—I have made in the Bill by which the area of purchase is limited by restrictions that did not exist in previous Bills. The right hon. Gentleman asked me, if these limitations as introduced were carried into effect, what would be the capital sum, as far as I can estimate it, which would be required to complete land purchase in Ireland. The question is one which I have endeavoured to the best of my power to investigate, but the *data* are imperfect, and to a considerable extent conjectural. Do what you will with existing statistics, take what trouble you may to collect new statistics, it is quite impossible, in my opinion, to arrive at a conclusion upon this subject which will not have in it a very large hypothetical element. The best calculation that I can make is that in any case the total amount to complete land purchase would be somewhere about £95,000,000 sterling. Therefore, although the 30 odd millions which this Bill proposes to allocate to land purchase certainly is far from carrying it out completely, it will be observed that, if we deduct from the £95,000,000 those cases in which landlords and tenants do not desire to sell or purchase, with the re-payments of the £30,000,000, we may really expect under this Bill to see a great impression made upon the problem we have to solve. The next point touched on by the right hon. Gentleman the Member for Birmingham, which was also adverted to by the right hon. Gentleman the Member for Mid Lothian, dealt with the limit of 20 years, which appeared in last year's Bill and does not appear in this Bill. I think both these right hon. Gentlemen had not present in their minds quite clearly that neither by the terms of the Bill nor by the language of the speech in which I introduced the Bill was it ever suggested that in the opinion of the Government 20 years was the outside limit of the value of land in Ireland. All that the Bill said and all that I said at that time was that we thought that the Public Exchequer should not be called upon with regard to any holding to advance more than the price which corresponded to 20 years' purchase. It will be observed that that operation does not constitute the fixing the price of land in Ireland. It did not, in our opinion, even constitute a suggestion that 20 years' purchase was the proper price at which land should be sold. I found there was great opposition to the proposal. However, it is, no doubt, the fact that some tenants in the better parts of Ireland occupy holdings for which they are prepared to give more than 20 years' purchase, and which are worth more than 20 years' purchase. It is perfectly true that there is no intrinsic reason why the State should aid the purchase of land by advancing more than what amounts to 20 years' purchase. But, on the other hand, it is represented to me by persons who know the districts to which I have referred that this restriction would practically prevent those tenants from buying, though perhaps they are the most eligible class of tenant proprietors in the whole of Ireland. This is not a question on which I individually entertain a strong opinion, but I think that as the question has been raised on the Second Reading it is only due to the House to point out that, since the Bill of last year was before the country, this practical objection has been brought to my notice, and I think some weight should be allowed to it. I now come to the much larger and more important question which relates to the kind of control, if any, that should be given to localities over purchases. The right hon. Gentleman the Member for Mid Lothian has indicated that, in his opinion, there should not only be a general kind of control, which I gather would fully satisfy the right hon. Gentleman the Member for Birmingham, but also a particular and special kind of control over each transaction between each landlord and each tenant. That, I must say, in plain terms, appears to me to be absolutely inadmissible. I cannot conceive such machinery working justly to either party. Practically, you would have tenants combining together and deciding that no tenant should be allowed to buy at more than a certain number of years' purchase. They would "bear," or artificially force down the value of land through the very machinery with which you would supply them. Everybody will feel that that argument alone is sufficient, and that you must not allow the mass of the people who are not buyers, but who look forward to the time when they may become buyers, to settle the price of the article they may buy. I therefore for that reason, if for no other, reject absolutely any proposal which would give to the Local Authority control over individual transactions. Now, Sir, there is a wider question. The right hon. Gentleman the Member for Birmingham has dealt with the suggestion I threw out to the House on the First Reading of the Bill. The House will recollect that I threw out that suggestion as a compromise, and in the interests of peace. I did not pretend to think that its adoption would be an improvement to the Bill, and I do not pretend to think so now. It has the vice incidental to almost every compromise I have ever heard of. It is not so logically compact that you cannot bring logical argument against it. The right hon. Gentleman the Member for Birmingham says he is unable to distinguish logically between that part of the Guarantee Fund over which the Local Authorities are to have control and that other part over which the Local Authorities are to have no control. I do not think that at the present moment it is my business to supply a logical distinction, but I say that there is a great sentimental distinction. The distinction between mortgaging funds which have been given to localities during the past few years, for such ordinary purposes as roads, and the funds over which they have had immemorial control, so to speak—funds for such purposes as education and the support of pauper lunatics—is enormous. You may say that both are the property of the localities. They are contributions given to the locality by the free gift of the Legislature of Great Britain and Ireland, and may be withdrawn at any moment. The claim of a locality to these contributions is based only on the fact that other localities have the same. I do not at all deny that there is a strong claim, but I do deny that there is a claim of the same strength as that of a man to property that belongs to him. I admit, though I do not go to the length of the right hon. Gentleman the Member for Birmingham in denying that there is any logical distinction between these two kinds of funds—I admit that there are difficulties in drawing a distinction between them, but that is the case in every compromise. If I could pass this Bill as I wish, I should say,—"Here is a boon given by the country at large to Ireland for the purpose of improving its social position. Do not allow localities to interfere with that boon. Give it freely, and take care that the people get the advantage of it." That is my point of view, though it is not the point of view of the right hon. Gentleman the Member for Birmingham, or of the right hon. Gentleman the Member for Mid Lothian, and all I suggested in my short statement on the First Reading was that, if the feeling of the House was rather with those right hon. Gentlemen, we might come to a compromise, which, though it may have the vices, has still the merits of all good compromises, and which may bring peace to a question with regard to which there are many vital differences of opinion between us. Then the right hon. Gentleman the Member for Birmingham, in a very interesting part of his speech, went on to discuss the interest the Local Authority has in the proper administration of the Bill. He said—"If you want a Bill to work you must give the Local Authority a large pecuniary interest in seeing that the rents are collected, so that public opinion may be in the future what it has never been in the past, namely, on the side of the payment of rents or annuities." Now, Sir, I for one at once admit the force of that argument, but I want to show how far the Bill is open to the criticisms of the right hon. Gentleman and how far it may be truly said that the locality has no interest under the existing Bill in seeing that these contracts are kept. In the first place, I would remind the House that the locality does already get what is called the Crown per cent.—the county cess. That is more than any land agent in Ireland gets for the collection of rent, and it is a free gift from the State, and subject to no obligation whatever. So much for the amount of the gift to the locality. In the second place, let me point out that the difference between giving a locality money if the contracts are observed and taking away money if the contracts are not observed is very little more than a difference of language. Under the Bill as it stands a locality loses money if the contracts are not observed; under the Bill as the right hon. Gentleman the Member for Birmingham would wish it, the locality would get money if the contracts were observed. As far as the mere effect on the public opinion of the locality is concerned, I think that that is a distinction which is not a very great one. It is a money distinction, and in both cases the pocket of the general ratepayer is touched. Therefore the general opinion of the locality will be moved in the direction of insisting upon payment, and I do not see any great distinction between the plan of mulcting the locality if contracts are not kept and that of bribing them if the contracts are kept, as the right hon. Gentleman proposes. Then I would point out—and I think it is worthy of the consideration of the House—that you have not so large a margin to give to the locality as at first sight appears. It is true that the diminution of the annuity is considerable as compared with the rent, but I do not believe that the motive to a tenant to buy can be measured accurately by that diminution alone. The terms under which he holds the land after purchase are severer than those under an ordinary tenancy in Ireland. There are arrears, and the State will not and cannot, I think, give the same laxity of treatment to the annuitants as a landlord in Ireland usually does to the tenants, and many tenants even with this bribe of 20 per cent. and over will, I believe, distinctly prefer to remain under their old landlords to coming under the harder and more rigorous management of the State, Therefore, if you are going still further to diminish what I may call the arithmetical benefit which the tenant obtains from purchase, you will remove the motive for purchase and *pro tanto* diminish the benefits which I hope and believe Ireland will obtain from this Bill. I think I have dealt with the arguments common to the two important speeches which we have heard, and now I will in a very few words further deal only with the speech of the right hon. Gentleman the Member for Mid Lothian. He repeated very briefly some of the arguments formerly used against this Bill, but his main argument, after all, was the old one—that the British Treasury would have to evict in order to enforce payment of the annuities. I dissent from that statement of the principles of the Bill absolutely and *in toto*. The actual process by which a tenant who does not pay his annuity will be dealt with will be undertaken by the Land Commission not in the interests of the British Treasury, but of the local funds. That difference is fundamental. It is not as if the British Treasury would be benefited by one sixpence if the holding is sold, but the ratepayers of the locality would be saved from losing the funds contributed out of the Imperial Exchequer. Then the right hon. Gentleman the Member for Mid Lothian dwelt on an argument previously advanced—I think unfortunately—by the hon. Member for Nottingham (Mr. John Ellis) with regard to the involuntary purchases which have taken place under the Bill already. But he forgot, I think, that his own Bill was based upon involuntary purchase; the whole essence and substance of his Bill was that the landlord might or might not sell, but practically the tenant was compelled to buy, not at 17 years' purchase, which is the average price under the existing Act, but at 20 years' purchase of the judicial rent, broadly speaking.

MR. J. MORLEY (Newcastle-upon-Tyne): There has been power to mitigate.

MR. A. J. BALFOUR: The right hon. Gentleman corrects me. It is true that there was power to lessen the term, but the basis of the Bill was compulsory purchase at 20 years, and amounted to a direction to the Land Commission to insist upon sale at that price, unless in individual cases strong reason could be shown against it. Therefore, I am bound to say that when the right hon. Gentleman the Member for Mid Lothian criticises our Bill because, if the story of the tenant is to be believed, involuntary purchase has taken place, he forgets that, if it ever did occur at all, what was a regrettable accident in our Bill was an inevitable necessity in his own. I was unable to reconcile that part of the speech of the right hon. Gentleman with his own Bill, and also with the next part of his argument, which was that sales under this Bill will so improve the position of the Irish tenant who purchases that the unfortunate tenants who are his next neighbours, and are unable to purchase, will practically feel that they have a grievance against the landlord or the State, and that you will produce a condition of social discord greater than that which you relieve. Well, Sir, but if the position of the tenant-purchaser is so very much better than that of the tenant who pays rent, what becomes of the argument of the hon. Member for Nottingham, which was endorsed by the right hon. Gentleman himself—namely, that the people who have purchased already have a grievance, and ought to be relieved of part of their bargains? I am ready and anxious to give all the information I can about these complaining purchasers, but I deduce this general proposition from the speech of the right hon. Gentleman, that if the tenant after purchase pays an annuity less than the rent he paid as tenant, he not only has a grievance, but he is also the subject of envy to the neighbouring tenants. Test the purchasers by this criterion, and you will see what their grievance is. The right hon. Gentleman must not suppose that I think that there is not some solid basis for his criticism on the Bill, not from the point of view of the hon. Member for Nottingham, but more from his own; that is to say, it is possible that tenants who desire to buy, but are unable, will compare their condition with that of those who are more favourably situated. Now, Sir, the House will see that in the Bill I have introduced I have done something to meet this possible difficulty and danger, because I have given power to the Lord Lieutenant to continue the 80 per cent. over a longer period of five years, which was the period fixed in the Bill of last year. I think that the Lord Lieutenant will be able to consider the social position of each county in Ireland, and if he finds the competition or the desire to buy so keen as to be likely to lead to discontent, he can, so to speak, put his finger upon the throttle valve, and so diminish the immediate benefit which the tenants expect to get, and he may thereby mitigate that excessive competition which the right hon. Gentleman appears to fear, and which I admit in certain parts of Ireland is a possible danger. I have taken the best advice I can in the matter, and I do not believe that the advantages which the tenants think that they will obtain by becoming subject to an annuity to the State are so great over their present condition of tenants paying rent to a landlord, and I do not believe that over a great part of Ireland this competition and desire to buy will exist. I think that I have now touched upon all the arguments advanced in the speeches to which we have listened with so much interest. With regard to the speech of the hon. Member for Nottingham, let me say that most of it seemed to me to be an argument in favour of the Bill. He dwelt at great length and with great elaboration on the evils which exist under the present system, and upon all the difficulties which exist between landlord and tenant, and which beset the dealing of landlord with tenant. Those difficulties do exist, and there is no way out of them except by land purchase, and by land purchase alone will you put an end to them, or remove from the path of Irish progress that agrarian discontent which is in itself the fruit and product of a long and melancholy history, but which I do believe if once removed from that path will leave it unimpeded, and may hold out to us who have the prosperity of that country at heart some not distant hope of seeing a great change for the better in the social condition of Ireland.

*(5.58.) MR. R. T. REID (Dumfries, &c.): I listened with consternation to the language of the right hon. Member for West Birmingham and of the Chief Secretary when they spoke of the large sums of money which would be required for the purpose of working out this scheme. The right hon. Gentleman the Member for West Birmingham put the sum at £100,000,000, the Chief Secretary put it at £95,000,000. I suppose the sum, whatever it is, is in excess of the £30,000,000 which is provided for in this Bill. This is to be added to the National Debt, and we are to give it to that class who in their conduct in the past have been most neglectful of their duties, and have by their selfishness produced more disaffection and more turbulence in Ireland than any other class in the United Kingdom. The money is to be repaid by those who are in strained relations with the British Government, and may possibly combine to resist payment of the instalments, and whose combination can only be broken by steps that would partially depopulate portions of the country, a thing intolerable in this stage of our civilisation, and, indeed, equivalent to a condition of civil war. I cannot believe that hon. Gentlemen opposite are so confident as they affect to be as to the value of the securities. The probability of a political strike if the present *régime* under the Crimes Act is continued is self-evident. Even if Home Rule is conceded, as I trust it may be, this Bill would offer a most tempting weapon in the event of any difference arising between the two countries, most mortifying to our pride, and certain to produce corresponding resentment on this side of the water. Now, it has been said that

the "No Rent" manifesto did not produce a general repudiation of rents. I agree it did not, but it would be a very bad look out for the peaceful relations between this country and Ireland if it were in the power of Nationalist leaders hereafter to put the Government of this country to such an extremity as that to which Irish landlords were forced to recover their rents in 1881 and 1882. In addition to this there are other dangers to be feared. There is danger arising from a fall in prices, from foreign competition, from the pressure of war; and scores of other contingences may arise in the course of 50 years, so to depreciate the value of land that tenants will be unable to pay their instalments. I believe if it were not for Party recollections, Party ties, and Party fears the Bill would have no chance of passing into law. We on this side are under a great disadvantage; we are fighting under the shadow of the Bill of 1886. I know that Bill differed from this in many particulars, and was itself intended to be part of an agrarian and political settlement; it is none the less true that the main principle of that Bill was similar to the main principle of this Bill, that is an indiscriminate purchase of Irish land at the cost of British credit. Now that is precisely the principle which was condemned at the last General Election, and I believe it would be condemned at any further election if the country had the opportunity of declaring its opinion upon it. But although it has been so condemned I do not gather that it has been renounced by leaders on either side of the House. I have listened to speeches, and I have read many speeches on the subject, and although the leaders of the Liberal Party have opposed this Bill on the ground that it is unsafe to the taxpayer, unjust to the tenant, and unfair, if not dishonest, to the constituencies of this country, yet I have not heard anything said which would be inconsistent with the re-introduction of another Bill providing an equal sum for a like object in the event of the Liberal Party being returned to power again. I think the position of right hon. Gentlemen below me, and especially of the right hon. Gentleman the Member for Newcastle, is logically unassailable. It is perfectly true the methods in the Bill, the withholding of local control over the disposition of local funds, are features that justify strenuous resistance even on the part of those who are prepared to support a wiser measure directed to the same purpose; but it is none the less true that our chance of successful resistance to this Bill is impaired, if not demolished, by the fear that even if the Bill were defeated defeat will be only the prelude to the introduction of another Bill on the same subject. Of course hon. Gentlemen opposite, who are indisposed towards the Bill, naturally say if it is certain that under any circumstances a Bill of this kind will be passed they prefer to trust it to their own leaders in whom they have confidence, rather than run the risk of the passing of a Bill introduced by their political opponents. Gentlemen on this side of the House may say to themselves that if such a Bill is to pass unquestionably it will be better to pass it at once rather than lead to the inevitable rupture of the Liberal Party in a future Parliament. So the inclinations of both sides have been enlisted in favour of the measure, not because it is a popular measure, indeed it is notoriously unpopular, but because the Front Benches on both sides having advocated or acquiesced in the principle private Members have accepted it as doom. Now I am not prepared to accept anything of the kind. I do not know what there is in the condition of Ireland that necessitates a Bill of this character. This measure has been advocated and supported in the country on the ground, or largely on the ground, that it is for the relief of persons in an impoverished condition. But the Bill will do nothing of the kind. This Bill will apply to the rich, the comfortable, the well-to-do tenants just as much, and indeed more, than it will apply to those in a humbler, poorer condition. We know from past experience of the Ashbourne Act that the comparatively well-to-do class of tenants have chiefly derived advantage from previous Acts passed with a similar purpose to this. The policy of the Bill is not compassionate; its policy is to confer benefit, by the manipulation of State credit, on landlord or tenant, or both, who shall agree to any purchase and sale of land in Ireland hereafter. In fact, the sale of land is regarded as in itself a transaction of such transcendent merit that the State on every such occasion interposes with the cash, to be haggled over and divided between landlord and tenant according to their several necessities, or skill in haggling. Now, the State credit is the common property of us all, and it diminishes in value in proportion to the obligations placed upon it. I should like to know if money is to be given to those dealing in land in Ireland without respect to their financial position, what answer can be given to similar demands made on behalf of England or Scotland. I might go further, and say, if the State credit is to be invoked in favour of private individuals and private transactions in land in Ireland, why should not State credit be usefully applied for the purpose of extending industries in this country, which might, by borrowing at 3 per cent., be largely developed, and provide more occupation for a portion of the people? This doctrine, this practice of advancing money, granting the use of State credit for the benefit of private individuals, is likely in time to lead to some startling conclusions. If it is to be allowed at all it ought to be applied in favour of the poorest part of the population. Now, this is not the policy of the Bill. Indeed the policy of the Bill is rather the reverse, for I maintain that the benefit will go rather to those who are well-to-do than to the poor, and that in precisely the proportion they are removed from poverty. The benefit granted by State credit is thrown as a matter of contention between landlord and tenant, and naturally the landlord will try to get as large a share as he can. The strong tenant will be able effectually to resist his landlord, and will succeed, no doubt, in getting the lion's share, but these are precisely the kind of men we do not require to assist. We require to assist the weak tenant—the man who is under arrears and in fear of eviction, or who, overwhelmed by his poverty, has already been converted into a caretaker, and is unable to contend successfully with his landlord. This is the man for whom this measure will do little. In other words this bonus granted by the State credit goes in very large part to the landlord, and that which goes to the tenant will be greatest in cases where the need is least, gradually diminishing to a vanishing point in the case of those who need the assistance most. That is a kind of inverted Socialism I have no sort of sympathy with myself. Another effect of the Bill will be to inflame the feeling against the Government—against any Government. The right hon. Gentleman himself referred to that. The right hon. Gentleman has intimated his opinion that there will be no ill-feeling created by evictions which will hereafter be undertaken by the Commissioners, because the people of each county will see that clearly the evictions are in the interest of those who are liable to contribute to the Guarantee Fund. But I cannot at all agree with the right hon. Gentleman in that view. Hitherto the feeling against evictions has been general, and this feeling will be transferred from the landlords to the Government, which takes the place of the landlords, for when, as must inevitably happen, either from poverty or bad seasons, ill-health, bad fortune, or a variety of reasons, individual tenants are unable to pay their rent, it will be the duty of the Government, in the interest of the inhabitants of the locality, to enforce rigidly their power of eviction, and the ill-blood and ill-feeling now entertained towards evicting landlords will be transferred to the heads of the Government. I would endeavour to reconcile myself to the Bill if I could see that it would really effect a settlement of the land difficulty even in those cases where it is applied, but I find it will do nothing of the kind. If we are to advance money from the Public Funds in order to aid transactions between landlords and tenants we ought at least to see that the slate is wiped quite clean; there ought to be no more relations between landlord, so that they may not harass and molest each other for the future. But it is quite possible, indeed most likely, that under this Bill, when the landlord has received the full amount he is to receive from the State he will still remain in the position of creditor, or second mortgagee. The Bill does not ask whether the terms between the landlord and tenant are fair, and the landlord may impose conditions upon the tenant which the interest of the tenant may compel him to accept, and when the tenant has paid all his instalments to the State he will require to pay other instalments due to his landlord, and the consequence may very well be that the landlord will use his power to sell up the tenant, take his stock, make him bankrupt, and effect a sale of his property. What sort of a settlement will that be of the land question? To one more point I desire to draw attention. It appears to me that this Bill, if it is largely applied, will produce some of the evils which were amended by the Bills of 1881 and 1887. The reason why these Bills, fixing fair rents, were passed into law was because, by a series of Reports by Royal Commissions, and by the authority of all economists, it was impossible to arrange in Ireland that contracts between landlord and tenant should be really free. The competition for land was so great that landlords were tempted to let their land to the highest bidder; and tenants, to secure the land, were tempted to offer more rent than they could really afford to pay. Now, I will suppose that, under this Bill, a large number of tenants, whose fair rents have been fixed, are allowed to become purchasers. I will take such a case as the Chief Secretary put, that of a man who pays a fair rent of £100 a year. Under this Bill, that tenant has his rent reduced to £68. It is true sub-letting is forbidden under the Act; but who supposes that sub-letting can be effectually prevented by a clause in any Act of Parliament? This tenant, whose fair rent is reduced from £100 to £68 under this Bill, may be able to let his land again for £110 or £120, and thereby turn himself into a sort of middleman; and you will have to do the same thing over again—pass another Bill fixing fair rents. This was pointed out in the Report of the Bessborough Commission a long time ago, and the danger is so apparent that I am surprised attention has not been called to it by some hon. Gentleman who favours the system. In fact, we shall be obliged again to legislate in a vicious circle. I cannot believe, although I do not question the philanthropic motives and intention of the Government in regard to this Bill, that these are the sole motives for the Bill. We have heard it stated in the country, although it has not been much referred to in the House, that the Act of 1881 was a great injustice to the landlords of Ireland. In his speech in the year 1883, in this House I think, the Chief Secretary practically said the same thing. That was one of the arguments with which, at that time consistently enough, he contended against the introduction of a system of land purchase. It has been regarded throughout the country that this Bill is introduced more in the interest of the landlords, and by way of compensation to them for the loss they sustained through the passing of the Act of 1881, than from any other motive.

MR. A. J. BALFOUR: The hon. Member quotes from a speech of mine delivered a long time ago, the terms of which are not in my mind. If he imputes to me a suggestion that land purchase is introduced in order to compensate the landlords for something taken away from them by previous legislators, he is certainly mistaken.

*MR. R. T. REID: I have a recollection of the speech, but I have not read it recently. Practically it amounted to this, that a great wrong had been done to Irish landlords, that it was a very dangerous social experiment, and might be repeated in other parts of the kingdom. Certainly I will accept the right hon. Gentleman's denial at once, but I was under the impression then, and have been since, that he expressed an opinion that some reparation or compensation was due to landowners for their loss by the Act of 1881. There is one other point has been referred to by not a few speakers in former debates—the hope that the Bill will have the effect of tranquillising Ireland. Now, if I thought there was such a prospect, I would not oppose the Bill. What is the position of affairs in Ireland at the present time? You have the congested districts, and I firmly believe that this country will some time be obliged to spend a sum of money to relieve these congested districts. But you must treat them separately from the rest of Ireland; this Bill refers to the whole of Ireland. You have also some estates on which the relations between landlord and tenants—I will not now inquire by whose fault—have come to such a pass that there is no prospect of peace during the present generation. I fully agree that it might be desirable, probably would be, to take these particular estates and confer on some authority compulsory powers to expropriate the landlords, preventing scenes of turbulence and disorder in the future, and to do so on such terms as would deter landlords from forcing such a condition of things in the future. Beyond the congested districts and a few disturbed estates, there is nothing in the condition of Ireland to justify any demand for the indiscriminate purchase of land by the use of State credit. When the right hon. Gentleman introduced the Bill he gave us a long explanation, and he told us of a series of Reports by Commissions, but I do not think they amounted to what he understood them to be, authority for the introduction of any such Bill. There is nothing to warrant the introduction of an indiscriminate Purchase Bill for Ireland, unless, indeed, it is that rents in general are not at present fair. But that argument has not been advanced from the Treasury Bench, nor has the real reasons for the introduction of the Bill been explained. I do not know whether rents generally in Ireland are fair or not. If they are unfair the recommendations of the Cowper Commission should be carried out, and the period of judicial rents be fixed at five years, but if they are fair there is no sufficient reason for the Bill. I have no wish to interpose between any advantages that might be conferred fairly and legitimately by this House upon Irish tenants, but I maintain that the Bill will not confer benefits upon tenants so much as upon landlords, and even as far as it will confer benefits upon tenants, those benefits will be reaped by the wealthier tenants who do not need them, and not by the poor tenants. I know perfectly well that in the disorganised state of public affairs it may be difficult to prevent the Bill becoming law, but I feel so confident that it will not be a settlement of the land question, that in itself it contains the seeds of discord, that we are certain to hear again and again of this same Irish land question, and to have to pay more money for similar purposes, that I feel it my duty to oppose the Bill.

*(6.28.) MR. T. W. RUSSELL (Tyrone, S.): It is perhaps only a Member representing an Irish constituency who has

had practical experience of affairs in Ireland who can appreciate all the fallacies which have been put forth in the course of this Debate. The hon. Member for the Rushcliffe Division in his Amendment charges the Government with using the forces of the Crown to carry out evictions for the non-payment of unjust rents. Now, I have just come from a distant part of Ireland, where pure accident took me, and I happened to be in the neighbourhood upon the last day of the evictions carried out upon the Olphert Estate, at Gweedore. More than a hundred tenants were evicted in three or four days. I arrived there on the last day, and gathered facts regarding 42 of those tenants. In 24 cases which I personally investigated the aggregate annual rent was £40. The total amount due on the decrees was £170, and the landlord offered to give those 24 men a full discharge on the payment of £31.

MR. J. E. ELLIS: Were the rents judicial rents?

*MR. T. W. RUSSELL: Mainly judicial, and these are what the hon. Member has called unjust rents. In the cases of 18 other tenants the annual rent was £47; the total amount due under the decrees was £186, and on the day on which those 18 men were evicted for non-payment they were in possession of 711 sheep, 111 head of cattle, and the crops of the whole year. On one man, who was arrested on a charge of murdering his wife, and who had 11 sheep and four head of cattle, his rent being only 16s. per annum, the police found in cash a sum of £8 17s. 6d. I want the House to appreciate at its true worth the charge that the Government of the country are lending the forces of the Crown to carry out evictions for unjust rents. I do not mean to say that there have not been unjust rents, or that there have not been evictions for unjust rents, but what I complain of is that hon. Members who go to Ireland, and tramp through bogs to the knees to witness evictions, take very little pains indeed to get at the actual facts of the situation they go to investigate. When a measure similar to the Bill now under discussion was before the House last Session, I spoke at considerable length upon the Motion for the Second Reading. I come from a part of the country where there is not the slightest difference of opinion as to the utility of land purchase. Anyone who knows anything of the Province of Ulster knows that there are only two opinions regarding land purchase in that province. There is a considerable party who are so enamoured of land purchase that they will be content with nothing less than a compulsory sale of the landlord's interest. That party is not a large one, but I have told them that they are doing what they can to impede the right hon. Gentleman in carrying land purchase. By far the greater number of the intelligent farmers of Ulster—and the small farmers are quite as intelligent as the large ones—are perfectly convinced as to the utility of land purchase; nay, more, they are persuaded that the future of Ireland, the future peace and prosperity of Ireland depends upon it. Therefore, in voting for the Second Reading of the Bill, I am acting not only with my own constituents at my back, but with the whole province of Ulster behind me. Now, the Chief Secretary has split his Bill of last year into two, and I frankly say I do not quite understand what he means by that process. The other night the right hon. Gentleman said it was designed to save time, that it was possible to get one portion of the Bill passed which will be complete in itself, while it might not be possible to get the other portion passed. I could quite understand that, but I find that in the first Bill the right hon. Gentleman makes the Land Commission a permanent body—a very proper thing to do—and that in the second Bill he proposes to create a Land Department. What does the right hon. Gentleman mean by making the Land Commission a permanent body, and then setting up a Land Department which must supersede the Land Commission? There is more that I do not like. I observe that the Chief Secretary has crowded into his second Bill a great many valuable provisions that were in his first Bill, everyone of those provisions being warmly supported by the tenants, and bitterly opposed by the landlords. Take the question of turbary, for example. Is the right hon. Gentleman prepared to allow the first Bill to come into operation, and to leave the question of turbary as at present? If he is prepared to do that, he leaves the landlord still landlord of the bog, and free to exact from the tenant purchaser for turbary what he may think he has lost in the price of the land, and I maintain that that will be an improper situation to create. There is another question to which I desire to call the attention of the right hon. Gentleman. The Government have given the Tithes Bill priority over the Land Purchase Bill; in other words they have given the Tithes Bill, which was within an ace of defeat last night if the Irish Members had come down from the Committee room in which they were assembled—they have given the Tithes Bill, which is not cared for by many of their own supporters, priority over the Land Purchase Bill, which is cared for. Is that precedence to be maintained after the Second Reading, and is the Land Bill to be caught in the toils of the Assisted Education Bill in the same way as it was caught last year in the toils of the Compensation to Publicans Bill? I will now deal with the alterations the Chief Secretary proposes to make, and will first of all take the question of the 20 years' limit. I am glad the right hon. Gentleman has left that out; I do not think it had any supporters in Ireland. The Chief Secretary is quite right in saying that a great many Ulster landlords object to it. Rightly or wrongly the Ulster landlords consider they ought to get more than 20 years purchase for their land, and they object to the tenant purchaser being forced to go to the money-lender or the gombeen man for the excess over the 20 years' purchase. The tenants of Ireland object to the 20 years' limit quite as much as the landlords do; for, no matter what may be said, if there is a limit in the Bill at all, an implied standard of value is set up, and therefore the tenants object to the 20 years' limit. I am glad that the limit has disappeared, and that the landlords and tenants will be able to fight the matter out. There is another alteration in the Bill which I thoroughly dislike, and I am bound to place it before the Chief Secretary. There was a most valuable practical clause in the Bill of last year which provided that where a landlord is willing to sell and the tenant is anxious to buy, but where they cannot come to terms as to the price, they may, with the consent of both parties, call in the Land Commission as arbitrator to decide the matter. That clause would have affected an enormous number of properties, because that is exactly the situation in a great many cases; the landlord would sell and the tenant would buy, but they cannot come to terms. The Bill of last year provided the machinery for bringing them together. The provision was violently opposed by the Irish landlords; it has disappeared from the Bill, and I greatly regret it. I now come to the vexed question of popular control, and I am glad to have the opportunity of stating clearly and explicitly what I think about it. We are proposing under this Bill to mortgage the property of a county, and I think the argument in favour of the county having the right to veto that mortgage is absolutely unassailable in logic. I am perfectly certain that if it were England or Scotland we were dealing with it would never be attempted to mortgage the property of a county without the consent of the county. But to give an Irish Local Authority control to veto the sales under this Act is a very serious operation indeed. The Local Authority will in the main consist of the farmers; that is to say, they will either be farmers themselves interested in the question or they will be men elected by farmers. Stripped of all rhetoric the proposal is simply to give the County Councils the power to fix the price of the land, and that is a proposal the House ought not to entertain. No man ought to be judge in his own case, and the Irish tenant farmers are no better than any other class of men. The hon. and learned Gentleman the Member for Dumfries (Mr. R. T. Reid) thought this Bill has been advocated to a large extent on false pretences. I candidly confess that I consider land purchase to be the instrument with which we are to defeat the hon. and learned Member in his designs upon Ireland. Does the hon. and learned Gentleman imagine that any sensible man would furnish his political opponent with a weapon which would undo the work he himself is doing? Upon the grounds I have stated it is perfectly impossible to place in the hands of the Local Authority the right to control or veto these sales, for they will either fix the price of the land or hamstring the Act upon which the Government and the Unionist Party depend for the tranquillising and pacification of Ireland. There is a third reason why it should not be done. We have had some little experience in the matter of land purchase, and when hon. Members like the hon. Member for the Rushcliffe Division (Mr. J. E. Ellis) rise with information as to the tenants of the Duke of Leinster, the Marquess of Bath, and Lord Waterford wishing to get a change in the terms because of the bad season, I may put the matter in this way: The glebe tenants purchased 22 years ago—many of them at 28 years' purchase. They could not help purchasing under the Church Act, for which the right hon. Gentleman the Member for Mid Lothian was responsible. They had to purchase or go. What has happened? Notwithstanding that they purchased under the onerous condition of 28 years of the old unrevised rents, the glebe tenants have laboured to meet their engagements, and they have met them. Take the purchasers under the Budget Clauses, for which again the Front Opposition Bench were responsible. What have those purchasers done? Have they repudiated their engagements? Some of them purchased at 25 years of the old unrevised rents; they have honestly met their engagements, and are meeting them to-day. What has happened during the five years the Ashbourne Act has been in operation? We had it from the Chief Secretary yesterday that only £28,000 is in arrear. So we have had some experience of land purchase in Ireland. As I have more than once said, I believe a good deal of the agitation is a put-up job to deter the House of Commons from entering on the consideration of this Purchase Bill, and I believe the tenants of the Duke of Leinster, the Marquess of Bath, and Lord Waterford, know too well the bargain they have made to run any risk in the matter. In conclusion, I desire to say that, whilst I claim the right to criticise the Bill in detail, the Chief Secretary may rely upon my loyal support of the Bill. I have been told that this is a landlords' Bill. If it be a landlords' Bill, how comes it that the tenants of Ireland are clamouring for it? They have not been in the habit of clamouring for assistance for the landlords in the past. The tenants of Ireland are the hereditary foes of Irish landlordism, and I ask hon. Gentlemen who speak in the House of Commons with very little experience of Ireland to explain how it comes about that the most enthusiastic support of the Government in this matter comes from the tenants of Ireland.

*(6.50.) MR. J. SEYMOUR KEAY (Elgin and Nairn): I think I can give at once a reply to the hon. Member for South Tyrone (Mr. T. W. Russell). He asks why it is that, if the Bill is unjust to the tenants, the tenants clamour for it. The answer is this: the British know that the intervention of tenants credit represents an enormous sum of money to be given to someone. They know, to their pain, that probably nine-tenths of that immense boon will be taken away by the landlords, yet, for the sake of the odd tenth that may come into their possession, they want the Bill. It appears to me, as one who has devoted some attention to the matter of land purchase in Ireland, that, next to its predecessor, which I admit was still more complex, this Bill is one of the most complicated measures ever laid before Parliament. Not only has the Bill itself to be mastered, but 14 Acts of Parliament to which it alludes have to be read along with it. The measure is one which may be best described as combining the most abstruse banking problems with the most abstruse legal phraseology. Its unparalleled complexity is proved by a mere recital of the different funds and accounts through which the money will have to pass. They are the land purchase account, the local taxation account, the guarantee deposit, the Guarantee Fund, the cash portion and the contingent portion of the Guarantee Fund, the Sinking Fund, the Reserve Fund, the County Percentage Fund, the Purchasers' Insurance Fund, and, lastly—to the present and future sorrow of the British taxpayer—the Consolidated Fund. Assuredly such an unprecedented measure should not have been placed in our hands with the expectation that we would master it in 48 hours. I object to the Bill because in my judgment it is an embodiment of the policy of the unjust steward in the parable. The Government know they will shortly have to give up their place, and so they are determined to transfer to their friends as much of their master's goods as possible. I think the Bill tells us pretty plainly why its predecessor was withdrawn. Mere decency caused the insertion of a limit of 20 years' purchase in the last Bill, but most of us know that the landlords—the friends of the Government—protested against that limit. They did not see why, when they had such a fine opportunity of dipping their hands into the Public Treasury, they should have any limit placed on the amount they could extract. In fact, the landlords were lukewarm about the last Bill because the Limitation Clause allowed them only to dip their arms up to the elbow in the Public Treasury, and they have now compelled the Government to bring in a Bill which will enable them to dip in their arms up to the shoulder. I should like the Government to give a categorical answer to the question why they have increased the advance to be made by the British taxpayer under the present measure as distinguished from the last Bill. I ask whether the security has increased since last February? The express contrary has been shown to be the case. Surely it does not add to the security of Irish land that a famine is expected to stalk through Ireland in a short time. Sound finance would have demanded that the right hon. Gentleman should have fixed the limit lower in the present Bill than in the last one. He has, however, actually withdrawn all limit whatever. In fact, he has done just the opposite of what every banker and financier would have done, as he has practically agreed to increase his advances in inverse ratio to the solvency of the tenants. Another ground on which I object to the Bill is that it needlessly and gratuitously gives as a present to one or two classes of men the benefit of the enormous money value produced by the interposition of British credit. Granting the most favourable supposition that all the tenants could actually borrow money at 5 per cent. for the purpose of making themselves proprietors of their holdings, and supposing they did so, and had to pay the money back at the end of 49 years, I would point out that the State, by stepping in and raising money for them at 2¾ per cent., will have saved them in interest alone the enormous sum of £307,000,000 on this one transaction

of £43,000,000. The figures may seem surprising, but I think they will not be controverted. And yet the value of the whole fee-simple amounts to only £43,000,000. Then why should not the State reserve to itself at least £43,000,000 worth of this boon of over £300,000,000 by retaining the fee-simple of the land instead of giving it to the tenants? It must be remembered that the tenants would still have the benefit of the remaining £260,000,000 or so in the shape of reduced rents during the whole term. If we apply this calculation to the whole of Ireland—aye, and to Great Britain also—I think it will soon appear to everyone that, by the using of British credit, the nationalisation of the land can be accomplished with great advantage to the tenants, with full compensation to the landlords, and with great benefit to the country, which would receive the whole rents in perpetuity. But the force of the argument against the Bill is further increased by the well-known fact that the landlords will carry away such an enormous part of the boon conferred by British credit. The right hon. Gentleman the Member for Mid Lothian during the Debate upon the former Bill last Session went fully into this demonstration, and showed that the landlord would be able to secure the lion's share of the benefit by simply increasing the purchase price. I remember that the Chancellor of the Exchequer replied to the right hon. Gentleman on that occasion, and he said that only when the tenants needed more to buy than the landlords needed to sell, such an increased purchase price would take place. But the right hon. Gentleman must know that in nearly all cases the landlord has not so much need to sell as the tenant has to buy. He must know very well that there is a great difference between the two. The landlord has not always process out against him, or the fear of eviction hanging over his head. It was in February last, I think, that the Chief Secretary made his remarkable eulogy of the advantages of voluntary purchase, because, he said, it would enable both of the parties to maintain what he called freedom of contract. An hon. Gentleman on that side of the House assured us there was no interference with freedom of contract so long as an alternative was offered. But the alternative which the landlord gives the tenant is something in the nature of that offered by the highwayman—money or life. The victim naturally prefers to part with his money. The landlord says to the tenant, "Give me my purchase price or be evicted and starve," and the tenant, if he can, pays the purchase price. That is the view of freedom of contract which the right hon. Gentleman offers to the Irish peasant. But there is another objection to the Bill, if possible, of a still graver character. It will be observed in the Bill that there is a careful avoidance of naming the limit of the amount to be granted. The two Ashbourne Acts contained an arithmetical limit; £5,000,000 were mentioned in each case. But this Bill mentions no limit of money. What does this mean? It simply means this: that the Government have reserved to themselves the power, even in the next Budget, of increasing the amount by simply voting an increase of the Imperial contributions to Ireland. The new loans are to be limited to 25 times the Imperial contributions to Ireland. That simply means that Imperial contributions may prove, and probably will prove, to be variable; and, if the landlords can make them steadily increase in amount, I want gentlemen on that Bench to tell us how we are going to prevent the lendings jumping from £30,000,000 to £60,000,000. It must be remembered that there would be no further need to apply to this or the other House. It may be said that no Government would ever do such a thing. But I say that at this moment the Government is in the act of doing it. In point of fact, the Chief Secretary boasted to us on Friday last that three years ago Ireland had none of these sums, and he is claiming to-day the hypothecation of them. We all know that one at least of those sums, £40,000 from Probate Duty, was actually given this year for the very purpose that it should be bottled up for five years in order that another £5,000,000 may be issued to the Irish landlords. I think, therefore, there is grave doubt about the object of the Government in leaving out of the Bill a statement of the exact pecuniary limits to which they intend to go. We surely must give the Treasury Bench the credit of knowing and feeling that no British taxpayer would ever knowingly incur an obligation to such an extent as that I suggest. What would happen? Supposing the £30,000,000 is exhausted, as the Ashbourne money is about done. Supposing this money were all urgently applied for and appropriated by needy Irish landlords. Supposing some noble Duke, a relative of a Member of the Government, wanted a million or so, would it not be very easy for him to persuade some Member of the Government, on the occasion of the next Budget, to give another £40,000 as a contribution to Ireland, in order that an odd million might be disposable to him? There is a noble Lord actually in that position at the present moment—Lord Ardilaun I mean, whom the Government promoted the other day to second the Address. The noble Lord's rent roll is about £7,000 a year, but he has only sold about one-sixteenth part of his property under the Ashbourne Acts. If we are to judge of his future action by his past, he still wants £130,000 of the British taxpayers' money in order to get rid of the rest of his unsaleable property Now, suppose the £30,000,000 exhausted. I imagine that Lord Ardilaun could easily come forward and persuade the Government to make a suitable increase to the Imperial contributions. I hope, therefore, that the Chief Secretary, or some Member of the Government, will tell us whether there is to be any way of putting a limit to the money raised under this Bill. I will now take the briefest glance at the so-called securities which are said to be provided by this Bill. The first of them is the land itself. But the Chief Secretary has actually taken care to destroy the value of the land by a double system of over-valuing. In the first place, in order to determine the purchase price, he takes so many years' purchase of what is practically the gross instead of the net rent. If the rent of a farm is £100, he allows the landlord and the tenant to capitalise the gross rent, deducting only the local rates, and deducting nothing for outgoings of the landlord, such as land management and cost of collection, not to speak of arrears, which in many cases practically deprive the landlords of a great part of their income. The landlord has no right to capitalise those outgoings, and take the money out of the British Treasury, because they comprise no part of the income which he is able to retain and apply to his own use. This practice alone is sufficient to destroy the validity of the land as a banking security. But in the present condition of Ireland, I say that it is unsafe to take even the net rents for the purpose of capitalising them. The only safe basis is not the amount of any nominal rent which the tenant has marked down against him, but the actual amount of rent which he has been able to pay. For example, a man has a nominal rent of £10, and he has not been able to pay more than £5 for many years, because of the fall in agricultural values. In all such cases it is perfectly clear that by capitalising the rental of £10—at 20 years' purchase, £200—the Treasury is advancing really double the value of the land. We have never heard that land purchase prices in Ireland are based on the rents actually paid. Last Thursday or Friday I asked the Chief Secretary for information as to how many of the existing Ashbourne tenants had paid only part of their rents and how many arrears had been outstanding against them at the time of purchase, my object being to see how far the land had been over-capitalised; but the right hon. Gentleman refused the information, and he did so from what I regarded as extraordinary *data*. He said the Land Commissioners had no record from which that information could be supplied, and I asked him on the spot how it was possible that that body, whose duty it was to see that the land was of the full and proper value before the advance was made, could fairly discharge that duty if they did not know—not what the nominal rent was, but—the actual amount paid as rent before the purchase was arranged. Now, let me take the case of a tenant with a nominal rent of £10. Supposing he had to buy at 20 years' purchase, he would have to pay £200, although in point of fact he might never have paid more than £5 per annum in actual rent. Under this Bill the amount he will have to pay would be not £5 but £8 per annum, or, in other words, he will have to pay £3 more per annum than he was able to pay before he made the purchase, simply because the nominal rent will be capitalised in the purchase, and he has apparently never been asked as to the real rent he was able to extract from the land. We shall doubtless be told, and the right hon. Gentleman the Chief Secretary has already made a great point of this, that we have one great security, and that is what is called "the landlord's fifth." I believe, however, that the Chief Secretary will be one of the first to admit that, assuming the arrears to have been large, and assuming that in consequence the land has been over-valued to the extent of even 20 per cent., the landlord's fifth absolutely disappears from existence as a security—in fact, it never comes into existence at all. There are two other so-called securities that I will class with the landlord's fifth, namely, the county percentage and the tenants' insurance. In the case of all these three classes of securities the right hon. Gentleman first lends money, and then when he keeps back or gets back a small portion of it he gravely turns round and says he has excellent security for the large amount which remains unpaid. I do not think the Chief Secretary will deny that the Government are now doing what every other financier is refusing to do, namely, lending money for a long period on land at its present value, in a falling market, and with no margin left for depreciation. I ask the Government to say what preparations they have made against a further fall—say, of 25 per cent.—in agricultural values either in the present or in the far-off future, under a Bill which practically covers a century in its operation. I now come to the last point with which I will trouble the House. [*Ironical cheers.*] I wonder whether those behind the Treasury Bench will cheer when they have heard what I have to say? I have, naturally enough, reserved the most important point for the last, and I am sorry I do not see any financial Member of the Government present, because I am not aware whether I shall be fully understood by those who now occupy the Treasury Bench. My last point is, in my opinion, so important that although I have no right to detain the House much longer, I think hon. Members will pardon me when they hear what it is. It is neither more nor less than the pecuniary validity or otherwise of the Guarantee Fund itself. Hon. Members need notqe alarmed, I am not going to analyse the details, or even to question what will happen when the particular items of this Fund are all impounded, when the roads in Ireland are allowed to go to pieces, when the pauper lunatics are set at large, and when the industrial school children are all starving. I am assuming that the money for these purposes is kept back and turned into hard cash for the benefit of the Fund in the way in which the right hon. Gentleman wants to see it done. But, first of all, I should remind the House of what the right hon Gentleman the Chief Secretary stated when bringing in the first Bill. He said—

> "It was a mathematical impossibility that any loss could possibly fall on the British tax-payer:"

and he added that

> "The deduction that the Treasury cannot suffer is not open to argument."

I propose to analyse this Fund, but before doing so I will take this opportunity of reminding the House of what the right hon. Gentleman the Member for West Birmingham (Mr. Chamberlain) said on the same occasion, because in the speech he has made to-night he slightly softened certain strong and clear and frank expressions which he had formerly used. The right hon. Gentleman, on the occasion referred to, admitted plainly and frankly that he only supported the Government because the Guarantee Fund had been absolutely proved by them to cover every ha'fpenny of the loans, so that no loss could possibly fall on the British tax-payer even in the event of total repudiation. That was the right hon. Gentleman's position, and I will now read two or three sentences from the speech he made on that occasion. He said—

> "I say for the sake of this argument you have to assume that it would not be fair to rest upon the probabilities of the case. I have, in order to make my case good, to prove that the loss is impossible. It is not enough to say that it is so improbable as to be almost impossible."

The right hon. Gentleman added—

> "Supposing that you have a general repudiation, you have in your hands sufficient resources to bring you home without the loss of a penny."

Now, what are the facts with regard to the amount of the Fund as compared with the liabilities that may have to be met? If you take the figures adduced by the Chief Secretary last year as to the principal amount of the money to be loaned to Ireland you will find that he put it at £43,000,000. Then we have to consider the interest. The right hon. Gentleman is going to create a land stock every year to pay the interest of 2¾ per cent. if he does not get the instalments in. Now, I take the total interest during 49 years on this £43,000,000 land stock, in the event of the instalments not coming in, and I find by a plain calculation that it amounts to £119,000,000, which added to the principal gives a total of £162,000,000 sterling. That is the actual amount of the land stock that would be in the possession of the public at the end of the 49th year, assuming the instalments not to be paid. Now we have to be brought home through the medium of this Guarantee Fund without the loss of a penny. What will the Guarantee Fund which is to be set off as a resource to meet this enormous liability consist of? I will take the Chief Secretary's own return, and assume his figures to be turned into hard cash. By this return he will have yearly in the shape of contributions, both of the cash and contingent portions of the Guarantee Fund, £1,169,000. The right hon. Gentleman takes 25 times that sum for the purpose of capitalising the Fund, and thus the annual instalments on the new loans will be equal to £1,169,000, and if the figures are sound that is a very natural principle; but I will show that the figures are unsound. I will go further than the right hon. Gentleman. I will increase the yearly income of his Fund from £1,169,000 to £1,200,000, I will give him 49 years' purchase of that income, and I will let him add compound interest at the rate of 2¾ per cent., which I admit he has a perfect right to do. What, then, would be the result? It is that mathematically there must be a deficit, and that that deficit may amount, in the event of the Ashbourne payments falling in speedily by redemption or sale from default, to £42,000,000, namely, the whole capitalised value of the land that he is operating upon. That is a direct statement, and I challenge a reply to it. The right hon. Gentleman the Member for Mid Lothian made a mild suggestion that it was possible some Members of the Treasury Bench thought two and two made five. Now they have an easy way of showing me that I am in error. I am perfectly willing to show how I arrived at the conclusion I have stated. I have already referred to the speech of the right hon. Gentleman the Member for West Birmingham—a speech in which he staked his whole political consistency on the issue whether the Guarantee Fund was absolutely necessary to the loan. He said the issue was to be decided by the answer to the question whether this Bill imposed upon the British taxpayer a burden, or the risk of a burden; and he added, "If there is a fraction of a risk, then I am inconsistent in supporting this Bill." If the right hon. Gentleman were now in his place I would invite him to look at the calculations I have made, and when he had seen them I would demand of him respectfully that he should go into the Lobby against the Bill. This mistake is fatal to the whole character for accuracy of the Government, and it has happened simply because they have been so pressed by the landlords to get the control of an additional £10,000,000. Somehow or other, they forgot that whatever they re-lent of the Ashbourne moneys was destitute of guarantee. Is the Chief Secretary aware that the Guarantee Fund is so constructed that it only covers new money as distinct from the re-lending of the Ashbourne Act or any other money? Neither he nor his colleagues explained, when they asserted that the Guarantee Fund covered the liabilities created under the Bill, that the Ashbourne money being thrown into the vortex——

MR. A. J. BALFOUR: The hon. Gentleman is arguing under a misapprehension. As the Bill was framed last year the Ashbourne money was to be re-lent with the assent of Parliament. As the Bill is now drafted the Ashbourne money cannot be re-lent.

*MR. KEAY: Then the right hon. Gentleman says that that money cannot be re-lent. I am not an expert in legal phraseology, but I certainly think that Clause 6, Sub-section 3, covers the re-lending of the Ashbourne money. This is an extremely important point.

MR. A. J. BALFOUR: The hon. Gentleman is quite in error. There is nothing in the section which authorises, or appears to authorise, the re-issue of that money.

*Mr. KEAY: Of course, I am not speaking of any mere ear-marking of that particular money, but of the use of the Fund of which it forms part. Still, I fail to understand the right hon. Gentleman when he says there is nothing which enables the Ashbourne money to be re-issued. I am delighted with the assurance.

Mr. A. J. BALFOUR: I have given it in the most categorical manner.

*Mr. KEAY: The right hon. Gentleman said it was not in the Bill. I take that as equivalent to the assurance it is not to be re-lent. In that case the Guarantee Fund will hold water for the original advances. But what is the meaning of the excess money to be lent to the county?

Mr. A. J. BALFOUR: Under the Bill as it stands, money is to be lent up to 25 years' purchase of the Guarantee Fund. With the accumulation of the Sinking Fund, by which the loans are to be paid off, further advances may be made, equivalent to the amount of the Sinking Fund. Therefore, necessarily, the liabilities of the counties will always be covered.

*Mr. KEAY: Will not that be the re-lending of the Ashbourne money, which is now being paid into the Sinking Fund, as far as the principal is concerned?

Mr. A. J. BALFOUR: No, Sir; the Ashbourne Acts are left precisely as they are, with this exception with respect to further advances. This Bill only deals in the future with advances on guaranteed land stock; that guaranteed land stock is to be covered by the Guarantee Fund; and any further issue of guaranteed stock beyond the 21 years' purchase is to be covered by the amount of the Sinking Fund.

*Mr. KEAY: I certainly cannot say I understand that in a financial sense. As long as there is no Sinking Fund in the Ashbourne Acts, and provision is now made for making one, I cannot see how the Ashbourne money is to be kept from being re-lent. The right hon. Gentleman would have conferred a great favour on the House if he had alluded to the point in his speech, and made it clear that he has taken away the power of re-lending this £10,000,000, which form the capital of the Ashbourne Acts. I do not think I need further detain the House. I have attempted to raise what I believe to be a most serious point, and I can only now thank hon. Members for the indulgence they have extended to me.

*(7.45.) Mr. R. B. HALDANE (Haddington): Whether or not we agree with the criticisms of the last speaker, we must all feel it is of great importance that such criticisms should be applied to the details of a Bill of this magnitude. I should not have risen to address the House had it not been for a note which struck me most forcibly in the speech of the hon. Member for Dumfries. I feel that that speech marked a new point in the attitude, not of the leaders of the Liberal Party, but of a large proportion of those who support the Liberal Leaders in the House, on the general question of land purchase. My hon. Friend complained of a want of thorough repudiation on the part of the official leaders of the Liberal Party of the general principle which underlay the Government measure. As I understood him, and as I understood the speech of the hon. Baronet the Member for Cockermouth, the objection of my hon. Friend and some other hon. Members of the Opposition side is to the principle of employing British credit for the benefit of the Irish landlords. It is important that the House should note that this marks a new period in the history, at any rate, of a large section of the Liberal Party towards land purchase. The Liberal Party were land purchasers when the Bright Clauses were first discussed in 1870; again in 1881, 1884, 1885, when no opposition was offered to the principle of the Ashbourne Act; in 1886, when the Liberal Party brought forward a Land Purchase Bill, which, considering the difficulties of the time and the opposition encountered, displayed an amount of courage for which the leaders of the Liberal Party will be remembered in history. They are land purchasers, so far as their leaders are concerned, to-day, and there is no stronger land purchaser than my right hon. Friend the Member for Newcastle, as was evidenced by his speech at Swindon the other day. But new difficulties have now been placed in the way of those who believe in this principle. It is not long since the Liberal Party were in a position to discuss the question of land purchase on the basis that the objection

to any scheme which the Conservative Government might bring forward was that there was no central representative National Authority to stand as a buffer between the Imperial Exchequer and the Irish tenant. But the present objections go far beyond that, and my hon. Friend the Member for Dumfries and others now object to the general principle of the State intervening for the benefit of the Irish tenant or the Irish landlord. I should like to understand the principle on which that opposition is based. I could understand it well coming from those who take a wider view of the land question. It may be that it is wrong to do anything to further recognise the private tenure of land or the creation of a peasant proprietary. It may be from the point of view of land nationalisation that it is wrong to bring forward any scheme of land purchase in any circumstances, but that is not the attitude of the hon. Member for Dumfries and some other hon. Members who think with him. Those hon. Gentlemen are in favour of allotments, leasehold enfranchisement, and the recognition of private property in land. It is not enough for them to say it is only a question of the circumstances of Ireland. Are they prepared to come forward and say that the Irish landlords have so conducted themselves that the State ought not to interfere on their behalf? There may well be some truth in the general charge against Irish landlords. The Irish landlords have been responsible for a good deal in the past, but this is not the occasion on which to condemn them. In considering the question of land purchase the House has nothing to do with the conduct of the Irish landlords. They are entitled to justice, just as much as any other section of the community. If it be right otherwise, if it be proper or part of our policy to bring forward a measure of land purchase, then the mere fact that the Irish landlords have behaved ever so badly cannot affect the propriety of that policy. It is no fault of the Irish Nationalist Party that they are not able to deal with the question of the land without a certain amount of prejudice against the Irish landlord faction. I do not think it is fair to ask the Representatives of the Irish nation sitting in an Irish Parliament to take upon themselves the responsibility of dealing with this question. It seems to me, therefore, that up to this point there has been a certain amount of community of purpose between the policy of the Government and the policy of the leaders of the Liberal Party. We are strong Home Rulers, and continue to be so. We are not to be shaken or affected in the slightest degree by temporary difficulties which may have arisen at this or any particular moment. But it has been part of our policy, and I believe it still to be part of the policy of many of us, to accompany the settlement of the difficulty with regard to Irish government with a settlement of the land question. We believe that by taking that course we can make Home Rule work smoothly, and, therefore, we find ourselves to a certain degree at the same point of view as the Government. I know that at the present moment the Government are opposed to Home Rule. They hold, however, it is essential that the Irish land question should at once be dealt with. I agree with them, and I believe we should approach the subject not on a mere ordinary Party basis, but that we should deal with it with the united skill of both Political Parties. I am far from pretending that I think this is a good Bill. It seems to me to be defective in a leading characteristic. But I find myself brought face to face with this question, "What is the alternative to the rejection of this Bill?" And the question must now be answered with little hesitation. It is to have no Imperial measure of land purchase at all. I believe that if the Bill of 1886 had been carried there might have been a settlement of this question, and we should have been saved from the necessity of grappling with it this year. As a Member of the Liberal Party I am unable to see any prospect of carrying a measure of land purchase, which, in my judgment, forms a most important part of any scheme for the Government of Ireland. But there is this great defect in the Bill. There is no suggestion of even adequate local authority being interposed between the Irish tenants and the State. On the other hand, there are certain considerations which reconcile me to what otherwise would be a more weighty objection. It seems to me, from a consideration of the framing of this Bill, that there is nothing in it to prevent us or any other Party, should an Irish Legislative Body be established in Dublin, from tacking on the interposition of such a body to the scheme of land purchase. But, after all, this is largely a question of the machinery of the Bill. The Bill takes the principle of the Ashbourne Act that extends and improves it. Taking the Bill as it stands, there is much in it which seems to me to point to an improvement in the general machinery of the scheme which differentiates it for the better from the machinery of the Ashbourne Acts. For example, there is the provision of 80 per cent. for the first five years. Then, again, you seem to have made a distinct step forward in the scheme of the measure, because it will be possible for the Irish tenant to discount the future bad times by paying in advance, and the provision is improved by the clause as it comes this Session before us enabling the Lord Lieutenant still further to extend the period during which the 80 per cent. is to be payable. That provision seems to me to be one which ought, at all events, to lead those who are considering the Bill favourably readily to the belief that the Government are in earnest in trying to make the best of this part of their machinery. Then there is another improvement, the limitation of purchasing powers to resident occupiers, which not only gives relief to the class who want it, but to some extent, at all events, gets rid of the objection that a large and indefinite sum will be required before a large and complete system of land purchase can be carried out. We have heard from a Representative of the Government to-night that not more than the £95,000,000 mentioned by the responsible Representative of the Government will be required. A complete system of land purchase which would give the fee-simple to all occupiers would require provision to be made for the expenditure of that sum. On this point you have got a calculation put forward in a simple fashion, and have got away from the very large figure you had to deal with before. Taking it at a sum very much short of £95,000,000, which will be constantly used, over and over again, for carrying out land purchase, it seems to me that you have got as near as you can get, in the absence of the interposition of an Irish Executive, to getting rid of material risk to the British taxpayer. There is theoretical risk, and we ought to be prepared to run that, at least, for the purpose of getting rid of a great evil.

MR. LABOUCHERE (Northampton): No, no.

*MR. HALDANE: The hon. Member for Northampton dissents from that, but I think we owe a debt to the Irish Representatives and to the Irish people in this respect.

MR. LABOUCHERE: Where are the Irish Representatives?

*MR. HALDANE: I think the Irish Representatives have good cause to complain of the extent to which people in this country in the past have been responsible for the acute state of feeling that separates the Irish landlords from the Irish tenants, and with that in view I am prepared to run not only theoretical risk, but to a certain point substantial risk for the purpose of obtaining a settlement of the land question. And it is because I believe that the Bill has gone as far as it is possible to go in the absence of a Home Rule scheme, and as far as we are likely to go with or without such a scheme—having in view the protection of the British taxpayer—that I shall support the Second Reading of the Bill. The hon. Member for Dumfries holds that this is not a Bill for the relief of impoverished tenants. To my mind that is one of its advantages. We do not want a Bill for the relief of impoverished tenants. We do not want a Bill for the purpose of putting paupers again on these lands. What we want is to take the honest, industrious, and solvent tenants and put them into the position of owners. What we are here to do is to solve a problem which we have hitherto succeeded in dealing with only very inefficiently; because I do not believe anyone, however sanguine, will say that the Land Act of 1870, or even that of 1881, or even, for that matter, the Act of 1887, can be looked upon as anything like a solution of the Irish land question. For the first time we are face to face with a scheme which, at any rate, attempts to grapple with the question radically and thoroughly; and whilst regretting that I should give a vote which may seem to separate me from those with whom I habitually vote, I am bound to do so on the present occasion. It is all very well for those of influence and authority in the councils of the Liberal Party to stand upon a principle like this; but within the ranks there are those who have set themselves against the recognition of the principle in any shape or form. It follows, then, that those who take a different view must set their faces against opposition to that principle, and, holding that view, I for one feel myself compelled to give a vote for the Second Reading of the Bill. It is not because I have the slightest misgivings about the general policy of the Liberal Party with regard to Ireland, but because I think this Bill will assist us, and assist us materially, in paving the way towards a solution of the Irish question, which will proceed on lines infinitely wider than any that have been placed before the country by Her Majesty's Government. (8.10.)

(8.40.) Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

*(8.43.) MR. RENTOUL (Down, E.): I am sure many of us, on this side of the House, have listened with great pleasure to some of the remarks which fell from the last speaker. This, he says, is the first time we have found ourselves face to face with a great measure dealing thoroughly with the great Irish land question, and, no doubt, it is pleasing to us to have such a recognition from a distinguished lawyer opposite. At the same time, the hon. and learned Gentleman went on to refer to the changes made in the Bill this Session as compared with the Bill of last Session, and said these changes were very important. Now we have the Chief Secretary telling us that the changes are unimportant, and the right hon. Gentleman the Member for Mid Lothian has told us the same thing. I am glad, however, to find that the hon. Member for Haddington finds the changes important, because these, perhaps, have enabled him more easily to come round to the support of the Bill, though he voted against the Bill last Session. Further, as a reason which seemed to weigh with him, he said it would not be fair to ask Irish Members to deal with this question of land in an Irish Parliament. On that matter I think he may set his mind at rest, for I can assure him that there is no possibility of Irish Members, for a long time being asked to deal with this or any other question in an Irish Parliament. Again, the hon. Member, referring to the British taxpayers, said we owe a debt to the Irish Party, and then the hon. Member for Northampton called out, "Where are they?" Now I do not know where the Irish Parliamentary Party are at this moment, but I can tell the hon. Gentleman where they were on Thursday last, they were here, voting in favour of the First Reading of this Bill. [An hon. MEMBER: No, walked out.] I think I am correct in saying that a large majority of the Parnellite Party voted in favour of the First Reading. The hon. Baronet the Member for Cockermouth (Sir W. Lawson) cheered the remark of the last speaker, that Irish landlords have their rights, but, if I recollect, in the course of the Debate on the First Reading, the hon. Baronet told us, that Irish landlords, or landlords in general, were of no value whatever Now, those people who have no value, perform no duties, and those who perform no duties, can have no rights, so that the hon. Baronet is scarcely consistent. Then we had some remarks of a highly metaphysical character in a speech from the hon. Member for Dumfries (Mr. Reed), a speech so metaphysical that I was unable to understand almost any part of it—metaphysical, I mean, in the sense of that definition of metaphysics which says, "When one man is explaining a subject of which he knows nothing to another man who does not understand him; then that is metaphysics." I did, however, understand the hon. and learned Member to say he would support the Bill, if it would create good feeling between landlords and tenants. On that point I can set his mind at rest, and assure him that good feeling will result. Furthermore if the Bill operates largely, it will extinguish the relations between landlord and tenant, the latter by purchase of their holdings becoming owners. Argument has been exhausted on the principle of the Bill, and I would not have intervened in this Debate were it not that the comparative silence of the

Ulster Representatives on the Second Reading last Session has been misinterpreted in some quarters, and it has been alleged that Ulster is very cold in regard to the measure. Now, I can assure the House that that is a complete misapprehension, and that not only Ulster but the whole of Ireland is strongly in favour of this Bill. If ever Ireland was united on any subject, it is on this. Last Session we had much opposition from Irish Members, speaking, as they said, the minds of their constituents. But they are met by a dilemma, for if they represented the feeling of their constituents then, they could not have done so last week when they supported the Bill, unless there has been such a revolution of opinion as would be rare, even in Irish politics. I can speak particularly of one Home Rule county, the County Donegal, and I can state positively that in all parts of that county there is a strong feeling in favour of this Bill. There are, no doubt, many persons who desire to see the principle of compulsory sale introduced. But the working of any such principle is surrounded by immense difficulties. We are told there is nothing an Irishman hates so much as coercion, and I think the real meaning of coercion, is not an Act preventing a man from doing what he wants to do, but rather an Act compelling him to do something he does not want to do. Certainly, the principle of compulsion, as applied to the sale and purchase of land, should only be adopted as the very last resource, after all other methods have failed. If landlords were compelled to sell, tenants would have also to be compelled to buy. This would be coercion of the most objectionable kind, and would certainly give the purchasers some excuse for subsequently refusing to pay their instalments. In connection with a system of compulsory sale there comes the difficulty of fixing the price. We know that where there is a difficulty in getting persons to agree upon a price, then the price must be arbitrarily fixed for them, and for this, a tribunal must be established, and the decision of that tribunal will be sure to cause dissatisfaction either to buyer or seller, or to both. There are some people in Ireland who are in favour of compulsory sale as applied to landlords, because they desire to inflict punishment upon landlords. There are some who would prefer compulsory sale voluntary sale, and would apply compulsion at once. With regard to the character of landlords we have heard much for and against. On either side hon. Members have spoken of Irish landlords in terms of the highest praise; but we have also heard them referred to, from the other side of the House as if they were the foulest wretches that ever cumbered the earth. Anyone who knows Irish landlords, and will judge from personal knowledge, will come to the conclusion that as a class they are a fair, an honourable, an upright, and, on the whole, a generous body of men. It is perfectly true that in the past, on some estates bad, tyrannical, and cruel things have been done; but they were done—and I speak from personal knowledge not small—in nearly every instance, not by the landlords, or with the knowledge of landlords, but by bailiffs and underlings connected with the management of the estate, so that those who now desire compulsory sale as a retaliatory measure against Irish landlords, would not, if they accomplished their desire, inflict punishment on the actual wrongdoers. It is admitted, that the agents or bailiffs are answerable for most of the cruel acts done to tenants, and vengeance in the shape of compulsory sale cannot reach them. Others desire compulsory sale because they believe that landlords will not be willing to sell. To these gentlemen I may fairly say, give the landlords a trial before you condemn them, give them the chance of showing what they will do. It seems to me that landlords, considering their position, would be very likely to sell, because in the proper sense of the term there is no such thing as a landlord in Ireland at all; the Irish landlords are nothing more than rent-chargers. Elsewhere landlords have rights and powers; but an Irish landlord would be treated as a trespasser if he went on the property called his own. He simply has a rent-charge upon that property. Now, when we have a rent-charger whose security is said not to be very good, surely he will be very glad to get rid of his rent-charge if he can get good terms. Therefore, it seems to me, there can hardly be a doubt, but that the landlords would be extremely glad to sell if the opportunity be given to them, and compulsion should not be used, nor will it be desired, except for purposes of revenge, until every other method has been tried. Of course, the dual ownership that does exist, and with which this Bill tries to deal, has been largely created by legislation of recent years. In many instances, this is an evil, but at the same time, while this dual ownership exists it must be dealt with, and I think this Bill deals with it in a broad and thorough fashion. But furthermore, this Bill takes into account that which every attempt at legislation for Ireland ought to take into account, namely, that in this, as in almost everything else, there is not one Ireland but two. There are certainly two Irelands in regard to the manner in which the country is populated—that is to say, there are the uncongested and the congested Irelands. Any Bill of any kind that has ignored the existence of two Irelands has failed, and had not this Bill taken that fact into account it would have been incomplete from every point of view. The hon. Baronet the Member for Cockermouth (Sir W. Lawson) said the other night that Unionist speakers boasted that the Irish tenant had better terms than any other tenant in the world, therefore why aid him further? It is true that he has better terms than any other tenant, but it is also true that he is more dependent on agriculture than any other tenant. His case is peculiar, and he requires to have more done for him than any other tenant in the world. The hon. Baronet also asked why, if Unionist speakers are right, in declaring that Ireland is peaceful and contented, anything more should be done for her. The hon. Baronet's argument is that because Ireland is peaceful and contented nothing should be given to her. The logical conclusion is that if Ireland were discontented and turbulent, everything should be given her. No doubt it has been the policy of Liberal Governments in the past to give to turbulence and riot what they would not give to a peaceful people. On the other hand, Tory Governments always consistently refuse to yield anything to turbulence and riot, though they are ready to give to peaceful and law-abiding men. It has been asked "Why was not this Bill brought in two or three years ago?" It was because Ireland was not peaceful at that time, and the present Government said, "When Ireland becomes peaceful we will deal with Ireland generously, and, if possible, more than generously." The hon. Baronet condemned a statement by the Earl of Derby that his chief reason for supporting this Bill was that the Irish Members were against it, therefore the hon. Baronet says in substance that one ought to vote, not against the Irish Members, but with them. If so, then in the present case the hon. Baronet is doing the very thing he condemns the Earl of Derby for doing, because he is voting against the distinct action of the great majority of the Parnellite Members, who supported the Bill on Thursday last. The hon. Baronet asked, "What is the use of a landlord?" and, in order to prove the uselessness of landlords, gave himself as an instance. The question whether or not the hon. Baronet is useless is more within the knowledge of the hon. Baronet than within my knowledge, and, therefore, I shall not attempt to controvert what the hon. Baronet said about himself; but, even granting that English landlords are useless, Irish landlords stand on a different footing The complaint of the hon. Baronet against landlords was that "they toiled not neither did they spin."

SIR W. LAWSON (Cumberland, Cockermouth): May I say that was a quotation from the right hon. Gentleman the Member for West Birmingham (Mr. Chamberlain.)

*MR. RENTOUL: Well, the Member for Birmingham was not the originator of the language. The Member for Birmingham used the words, and the Member for Cockermouth quoted them, either second-hand from the Member for Birmingham or first-hand from the original source. But, to continue my argument, the Irish landlords stand on a totally different footing. Three-fourths of them have purchased their estates under the Encumbered Estates Act of 1849, and paid cash down. That money was evidently earned by somebody who did both toil and spin. A strong charge was made last Session by the hon. and learned Gentleman the Member for West Cavan (Mr. Knox) against the Chief

Secretary, that he does not consult with the Irish Representatives, but treats them as "mere Irishmen." I do not think that the Chief Secretary has ever done anything of the kind. If my right hon. Friend ignored Irish opinion, or contemptuously treated Irishmen on every occasion, I myself am just enough of an Irishman to be sorry for it, and to resent it. But I think I did see a right hon. Gentleman opposite treating the Irish as mere Irish, and an Irish Member as a school boy on one occasion, for when the hon. Member for West Cavan commenced his speech that night, the right hon. Gentleman the Member for Mid Lothian (Mr. Gladstone) went and sat at the end of the second Opposition Bench above the Gangway, and put his hand to his ear and gazed into the face of the hon. and learned Member with an amount of attention I have never seen exactly equalled except by Mr. Toole when playing Paul Pry. It was evident the right hon. Gentleman left his place in order to show the hon. Member for West Cavan that he did not treat him as a "mere Irishman," but as a very important personage on that side of the House. It was evident that the right hon. Gentleman's spirit was very willing to compliment the hon. and learned Member for West Cavan, but, unfortunately, the flesh was weak, for the right hon. Gentleman yawned 18 times during the speech. Now if that is treating a man as anything else than "a mere Irishman" —and as a very poor type of an Irishman, one who is easily flattered—I cannot understand what such treatment is. I trust no right hon. Gentleman sitting on the Front Bench on this side of the House will ever offer to treat me in such a way. Now as to this Bill being a pledging of British credit, those who are most familiar with the question declare that there is no risk to British credit whatever. The right hon. Gentleman the Member for Mid Lothian asked in this connection with great solemnity, whether any Member on this side, in good faith and openly, would assert that two and two made five. Of course no Member on this side of the House took up that challenge. No Member on this side of the House would assert anything of the kind, because we know, that figures never lie—though we know that under skilful manipulation they may be induced to prevaricate to an extent that almost answers the purpose—and there are certain gentlemen, on the other side of the House who are able to deal with figures in a masterly manner. There are also some Gentlemen — notably the right hon. Gentleman the Member for Mid Lothian —who always have to explain every speech they make, on this or on any other question—reminding one of the man who, when he wrote a letter, delivered it himself in order that he might read it to the person for whom it was intended, no one but the writer himself being able to read it. Now as to British credit, even supposing that it were necessary to risk it to some extent, all Parties on every side of the House have over and over again asserted that this country owes a deep debt to Ireland. The right hon. Gentleman the Member for Mid Lothian stated that hon. Gentlemen on this side of the House obtained their seats at the election of 1886, on the distinct understanding that they would not risk British credit. Well, since the vote on this Bill last Session, the constituencies have had ample opportunity of speaking out on that subject; yet what constituency has spoken out against the vote of its Member even supposing there was an understanding of that sort in 1886, which we entirely deny? [*Opposition cries of* "Eccles."] Every one knows that Eccles was won upon the eight hours question, and therefore that election proved nothing with regard to the Irish question or to an Irish Land Bill.

(9.15.) MR. LABOUCHERE: The hon. Member has blamed a Member on this side of the House because he spoke to him metaphysically. He said his intelligence was not sufficiently great to enable him to understand my metaphysical friend. Well, I am bound to say for myself that my intelligence has not been sufficiently great to enable me to understand a great deal that fell from hon. Gentlemen opposite. The hon. Member commenced by saying that he would put to us a series of dilemmas. I was puzzled to see where they were, and I confess I am not disposed to take the slightest trouble to get out of one of them.

*MR. RENTOUL: I said one single dilemma.

MR. LABOUCHERE: Well, "one single dilemma" is quite enough. As if we had not had enough speeches this Session, he fell back on last Session, and said he was in favour of the Bill because the hon. Gentleman the Member for West Cork had made a speech last year in the House, and the right hon. Gentleman the Member for Mid Lothian had yawned 18 times during that speech. The hon. Member said we were given to repetition and were not in the habit of producing new arguments. If what I have repeated from him is a specimen of the new arguments that hon. Members opposite are going to submit to the House in support of this Bill, I confess I should prefer even the repetition of an old argument, for greater nonsense, I can assure the hon. Member, I never listened to in my life. The hon. Member seems to suppose that an Orange Member is to be taken as an exponent of public opinion throughout Ireland, and having done that he comes forward to defend the landlords. I could not help thinking that if the landlords of Ireland could have heard the hon. Member, they would have said, "Preserve us from our friends." What did he say? He declared that on a vast number of estates horrible things are done.

*MR. RENTOUL: Were done.

MR. LABOUCHERE: I do not know where "were" ends and "are" begins, but we will take it either way. What was the explanation of this advocate of the landlords? Why, that the landlords were the best and noblest of human beings. They lived away from their estates, had bailiffs representing them to bully the miserable tenants and get all the money they could from them, which money the landlords were to spend elsewhere, and if anything wrong was charged against them, they were to say, "Oh, it is only the act of my bailiff." That was exactly the position taken up by the slave owners in the Southern States of America in the old slave-owning days. If anything went wrong the blame was laid at the door of the overseer, who was replaced by another person whose doings were precisely similar to those of his predecessor. The hon. Member asked why the electors have not protested if his Friends opposite have not fulfilled their pledges. Well, the electors are only longing for an opportunity to protest. They are asking every day for a General Election. [*Laughter.*] Hon. Gentlemen opposite may laugh, but they take very good care only to laugh here, and not risk a General Election. The hon. Member says that the Eccles election was not a protest on the part of the constituency, because it was won upon the eight hours question. What does he know about the eight hours question? All I know is that there was a supporter of the Government on one side and a gentleman who avowed himself as our ally—and an opponent of this Bill—on the other, and that the latter was returned by a large majority, the seat having formerly been held by a supporter of the Government. Let the hon. Member remember the number of followers the Government possessed at the commencement of this Parliament, and let him count them now. I think he will observe in the result some sort of a reply from the electors. The number of his friends has materially reduced, and it will be much more reduced when we have what we ask for, that is an appeal to the country. I have heard a speech on this side of the House in favour of the Bill from a Gentleman (Mr. Haldane) who has not even the excuse of being a Liberal Unionist. The hon. and learned Member for Haddington has said that he is a theoretical financier, and that we ought to incur risks. For my own part, I think that if the hon. Member had been in business and had tried to carry out his theoretical finance he would have been ruined long ago. The hon. and learned Member has given a curious reason for voting for the Bill. He does not think that it is a good Bill, in fact he thinks it is rather a bad Bill, but he says that he will vote for it on the ground that any Bill is better than no Bill. Then the hon. and learned Member has said that a Land Bill ought to accompany a Home Rule Bill. But where is the Home Rule Bill? The hon. Member for South Tyrone (Mr. T. W. Russell), on the other hand, is going to vote for the Bill on the ground that it will prevent Home Rule. There seems to be a curious diversity of opinion among the supporters of the Bill. It has been said by my hon. Friend that we have nothing to do with the conduct of the Irish landlords and that we ought to do justice to them. I agree with that; I should like to do justice to them, but what is proposed is to make them a vast present. That is not justice to them, but injustice to the British taxpayer. There is nothing in this Bill to show that the occupier will become the owner of the land, because there is nothing in it to prevent the tenant from going somewhere else as soon as the advance has been made. I gather from the speech of the right hon. Gentleman the Member for West Birmingham (Mr. Chamberlain), and the speech of the Chief Secretary, that all sorts of concessions and bargains are being made. There is, I understand, a concession being made to the right hon. Gentleman the Member for Newcastle (Mr. J. Morley), another to the right hon. Gentleman the Member for West Birmingham, and another to the Member for the City of Cork (Mr. Parnell). Well, you may make what concessions you like, but as far as I am concerned you will not lead me to abate my opposition to the Bill. I object to the principle of the Bill, and to every line and every word of the Bill. I consider that in bringing forward this measure the Government are acting *ultra vires,* and that the Bill, judged on its merits, is giving effect to utterly erroneous principles. We are told that the guarantee is merely a nominal and not a real one, but I deny that there is any such thing as a nominal guarantee. What do you do? You issue a quantity of Consols—£33,000,000 of Consols at 2¾ per cent. interest. You guarantee the interest and that is why people take them, but the persons who take them would not dream of doing so simply on the guarantee of those Irish estates. The question is what is the price at which any Irish proprietor could get money on interest? There is no doubt about the fact that Irish proprietors had to pay 5 per cent. at a time when money could be obtained in the English market at 4 per cent., and yet you tell us that we are incurring no risk in lending money at 2¾ per cent. almost without any margin, at a time when the Insurance Companies, knowing that the risk with a large margin on Irish land is so great, are demanding 5 per cent. for loans on Irish land. We know something about guarantees. It was only the other day that the eminent firm of Barings wanted to get money from the Bank of England. The name of that eminent firm is certainly as sound as that unfortunate Tipperary peasant occupying two acres of land, but the Bank of England said, "No, we cannot lend you the money without some solid guarantee," and the result was that they got a number of big houses in England and Scotland to unite in guaranteeing the £17,000,000 which was advanced to Messrs Baring, and yet one of those who aided in this transaction comes to this House, in conjunction with his right hon. Colleagues, and says there is no sort of risk to be incurred in lending the money asked for on this Irish security. Well, Sir, what is it that we are asked to guarantee? It is that these Irish occupiers who are to purchase the land will be able to pay the interest on the money advanced, and further in a given number of years to pay back the capital. Now let me put it in this way. Suppose you had done this 15 years ago. Land especially in Ireland has fallen enormously in value since that time. If you had made such advances on the basis of land value prevalent 15 years ago, it is absolutely clear that the tenants would not be able to make the repayments now. How then can you say we have no risk to incur when you do not know that land which has largely fallen in value during the past 15 years will not sustain an equal fall in value during the next 15 years? The tenants have not paid because they could not pay, but even supposing they could pay is there anything like certainty that they would pay? We have proof that the tenants have in many cases been bullied into these bargains, and in all probability they will again be bullied by the landlords into similar bargains. There seems to be a sort of prejudice against the payment of rent in Ireland, and if Irishmen have anything like a fair and reasonable excuse for demanding reduction of rent they make that demand. Is it to be supposed that they will be more enamoured of the payment of rent when the owner of the land is the alien Government of England? We are told that everybody paid who purchased under the Ashbourne Act. The right hon. Gentleman the Chief Secretary for Ireland urged that as evidence that they would always pay; but, unfortunately for his argument, we have evidence that they have not always paid under that Act. There is evidence that on the Duke of Leinster's estate large farmers—not mere paupers—have been agitating against these payments, and saying they are not able to pay. The hon. Gentleman the Member for South Tyrone (Mr. T. W. Russell) has said the glebe purchasers paid. That may be so, but last year we did not have to fall back on the glebe purchasers. The Government brought forward the Ashbourne purchasers, and asked us to pass the measure they proposed because the purchasers did not complain; whereas now they ask us to pass this measure because they do complain. It does not seem to signify whether they complain or not, or whether they pay or not. The Government want this Bill passed, and will do everything they possibly can to secure its passage. We are told that, supposing the Irish purchasers are not able to pay, and we may not be able to evict them, we shall still have ample cover. Now, let hon. Members see what this wonderful cover is. In the first place, there is a guarantee fund—a fund of £40,000 per annum, which is only to be paid to a special guarantee for five years, when it will amount to £200,000; besides this there is the Irish share of the Probate Duties. I ask the Government—do they mean to say that these two guarantees are sufficient for £33,000,000?

MR. T. W. RUSSELL: There is the landlord's fifth.

MR. LABOUCHERE: Yes, but that is cut out. The Treasury will decide as to that. It has to lay down rules.

MR. J. MORLEY: You are mistaken.

MR. LABOUCHERE: I am afraid my right hon. Friend has not looked at the Bill. All I can say is that I have read the Bill, and we are told that everything is in this Bill. If I am mistaken, I am mistaken in my knowledge of the English language. There is the Bill and the clause referred to; and I would beg the right hon. Gentleman to read it himself. That is what is called the guarantee. After that there are certain contingent guarantees. Well, what are they? It will be seen that we give Votes in aid, we pay a certain sum for lunatics in Ireland, and certain other sums for schools for medical officers of workhouses and dispensaries, and also for industrial schools. We are told that we should be able to retain this money, that if we cannot get back our advances we are to call on the Lord Lieutenant to levy a rate on the county. Does anyone mean to say that if the Irish tenants did not or could not pay, we should be able to deprive the people of Ireland of the Votes in aid for keeping up lunatic asylums, schools, dispensaries, and the medicines furnished by those dispensaries? I am assuming, of course, that times are exceedingly bad, and that the people cannot pay. How in that case could we levy increased rates? Of course we could not do it, and if we did we should commit an act of the grossest injustice. Supposing I were a grocer in some county in Ireland, why should I be taxed because some one does not pay his rent? The fact is that the whole thing is illusory. There is no sort of guarantee for these 33 millions, and the Chief Secretary knows that if this Bill is passed, the 33 millions will come in the main out of the pocket of the unfortunate British taxpayer. If you want to make these presents why do not you give them to my constituents in the County of Northampton? They have no ownership in the land at all, and, as the saying is, "half a cake is better than none." Nevertheless you say that although these Irish tenants have part in a dual ownership, you are to step forward and make them a present of this land. I say that my constituents have a better right to this money than the Irish tenants. Now, Sir, let me ask for whom is this money really intended? Is it for the tenants of Ireland? Not a bit of it. Of course you cannot carry the Bill without conferring some little benefit on the tenants, but that is a mere incident in this matter. What the right hon. Gentleman really wants is to make a present to the landlords of Ireland. He knows perfectly well that land in Ireland has fallen greatly, and may yet fall still further in value. He knows that there are no buyers in the market, and he knows also that the Irish landlords are anxious to sell their estates. Yes, but there are many landlords in England who would be glad to sell their estates. If because Irish landlords wish to sell we are to come forward in this, why not do the same thing in the case of the English landlords who are similarly circumstanced? And here let me call attention to an important and significant fact. We are told that under the Ashbourne Act nine large landowners of Ireland actually receive £1,500,000 which we have guaranteed. That enormous sum goes into the pockets of nine exceptionally rich Irish landlords. We know that property has its obligations, although they are not very well fulfilled in Ireland, yet even an Irish landlord has occasionally to give something in charity, and probably there are a good many who give a considerable amount. But under this Bill they will be freed entirely from this obligation, and as to the State it, of course, would give nothing. It would absorb everything. It would make a hard and fast bargain with the purchasers, and nothing would be given in charity or in the shape of subscriptions for schools and other institutions. I expect the right hon. Gentleman the Chief Secretary has been influenced by the Chancellor of the Exchequer. The right hon. Gentleman is a representative landlord, and the Chancellor of the Exchequer is a representative of the moneyed interests of the City. Now, a vast number of Insurance Offices have lent money at 5 per cent. on Irish estates. If people knew how much these offices had lent on these estates the shares would go down considerably. These offices cannot hand over the mortgages to any one else, and they cannot foreclose, because in that case the property would be thrown on their hands. They are, therefore, obliged to content themselves with a lower rate of interest than 5 per cent. These eminent City gentlemen are, of course, anxious to get repaid, and they will be repaid under this Bill. The amount of the mortgage money will go to the Insurance Companies and the rest will remain with the Irish landlords. It is really a class measure. The Government are passing it in the interests of the landocracy and plutocracy they represent. It is because the plutocrats cannot force the money out of the Irish tenants that they are now to come upon the British taxpayer for the value of their property. Unfortunately hon. Gentlemen opposite cannot get it out of their minds that there is something sacred connected with land, and when those gentlemen, whom it is said neither toil nor spin, find that they cannot get enough out of their property to keep on neither toiling nor spinning, they are desirous of making up for the deficiency in some such manner as is suggested by this Bill. Say that we are to pay the market price of these congested districts to the owners of them. What may be the market value? It may be the capitalisation of the amount that they charge—not that they get from—their tenants at present. These congested districts are the shame and disgrace of the United Kingdom. They are Irish rookeries. What would be said were we to pass a Bill saying that England and Scotland and Wales were to join together to buy out the rookeries of London at their market value? Do not allow these landlords in Ireland to crowd people as they do at present. In the name of common sense do not bring in a Bill to benefit these landlords on account of their own iniquities, saying to them, "You have raised the value of the land by crowding persons most improperly, and now we will pay you the hard market commercial value."

Mr. A. J. BALFOUR: That is not in the Bill.

Mr. LABOUCHERE: Again, I would wish the right hon. Gentleman to read his own Bill. I have no objection to go through the whole of it; there is time. He has really nothing to say in favour of his Bill, and he falls back on the statement that "it is not in my Bill." The right hon. Gentleman must really look after his draughtsmen. I have no doubt the intentions of the right hon. Gentleman are most excellent; in fact he told us that the Bill is a sort of speculation which he brings before the House.

He will withdraw it if the opinion of the House is not in favour of it.

MR. A. J. BALFOUR: I have never said anything of the kind.

MR. LABOUCHERE: Well, I will not pursue this. Will the right hon. Gentleman read the Clause—page 13, sub-section 3?

MR. A. J. BALFOUR: That applies to the holding being bought by the tenant occupier.

MR. LABOUCHERE: Yes, it is bought by the tenant occupier; but where does the money come from? From the British taxpayer. If the right hon. Gentleman likes to buy land in Ireland he is perfectly welcome to do so, at his own price. Your tenant is a mere sham. You buy out the land, and you sell it to the occupier. You are buying at the full market value; and I appeal to Members on this, aye, and the other side, of the House whether I have not clearly made out my case, that what I have stated is in the Bill. There is a third reason why you are bringing in this Bill. I am sorry that my Irish friends are not here. [*Laughter.*] They are kept away by domestic affliction. Were they here I would recommend them to be exceedingly careful about accepting this Bill if they want Home Rule. My impression is that one of the reasons for this Bill is that they would be better able to oppose Home Rule were this vast amount handed over to the Irish. We should be the man in possession in Ireland. ["Hear, hear!"] I like my hon. Friend (Mr. T. W. Russell). He knows what the Government are doing, and he applauds them for it. My hon. Friend admits that we shall have to spend £100,000,000. [Mr. T. W. RUSSELL: No.] More than that—between £100,000,000 and £200,000,000. [*Laughter.*] Hon. Members laugh, but one for whom they have the greatest respect, the right hon. Gentleman the Member for West Birmingham, said £200,000,000 would be required. I am putting it at £100,000,000. My contention, then, is this, that you cannot have two classes of tenants—one who pay less and in a certain time get the land, and the other who pay more and in no time get the estate. Therefore, if you pass this Bill, it will involve not merely the amount named, but between £100,000,000 and £200,000,000. Anyhow, the reason for which the hon. Member for South Tyrone admitted the Bill was brought in was to prevent the Irish from having Home Rule. That is one of the reasons why I am against it, and why I trust the Irish Members, who still retain such solid opinions, will vote with us on this occasion. The Chief Secretary told us that this was an Imperial Bill, and for the advantage of Ireland. But I can conceive of nothing worse than that, in the case of a part of the Empire, consisting of two islands, Great Britain and Ireland, one island should be the landlord or financial master of the other. Such a relationship would perpetuate the ill-feeling which still exists. I ask the right hon. Gentleman to consult the Chancellor of the Exchequer about this. I think the Chancellor of the Exchequer will admit that Government securities are invariably attracted to the financial centre of the country issuing them; and the consequence will be that the entire rental of Ireland will each year be swept away from Ireland to be brought to England. No country in the world will stand this for a long time. Any country would be ruined. If the whole of the land of England belonged to proprietors in Paris, and the rental went to Paris, we know very well that England would in a given time be almost ruined. The case is far stronger in Ireland. In Ireland you have only one industry, agriculture; here you have many. You will sweep the whole of the rental of one island into the other, and yet you expect the country to be prosperous. If I was an Irishman I should refuse to pay one farthing. As a British taxpayer I will have to pay, but if the Irish refuse to pay, I shall tell English taxpayers that they have only got what they deserve. I will tell the right hon. Gentleman what I should do. I should leave dual ownership alone; and I should reduce the rental if it is in any case too high. If the rent is too high, all we have to do is to have fresh Land Courts and fresh legislation to make a further reduction.

[*Laughter.*] Yes, I should support it. I can assure the right hon. Gentleman that if he will bring in a Bill to reduce all rents in Ireland by one-half I shall give it my most cordial and warmest support. Do in Ireland what you have done in the Islands and Highlands of Scotland. That is a far more reasonable proposal than this one, which is to gorge the plutocrats and landocrats with the money of the British taxpayer. Take the Campaign estates—there are five or six of them. If I had the honour of being in the place of the right hon. Gentleman what should I do? I should have a Board of Arbitration and Conciliation in regard to these Campaign estates, to decide what was fair on both sides. And I should again come for legislation and pass a little Act converting the decision of the Board into law. In that way I would get rid of the whole question of these Campaign estates. In the congested districts I should deal drastically with the landlords. I do not think I should give them anything. I do not see why they should have anything. They perfectly well know that the only economic value of their land is that which is caused by the fact of Irishmen choosing to live there. Indeed, I have always wondered why Irishmen continue to live in those districts, to which they give value, just as do people who choose to pay for living in the rookeries of London give value to those rookeries. I say there is no real economic value in these properties at all. Well, then, I should finish up by passing a Home Rule Bill for Ireland. I have been asked whether we should really leave the Irish to settle the Land Question after they got Home Rule. I have never yet discovered why they should have Home Rule and not be allowed to deal with the Land Question. I can understand that hon. Gentlemen opposite are opposed to the Irish having full power to legislate on anything. But why should you give full powers to the Irish Legislature to legislate on everything except the land? Simply because of the fetish notion you entertain that land is superior to everything else. I have now stated a few of the reasons why I am opposed to the Bill. Others I will give when the Bill gets into Committee. I always respect the traditions of this House. I consider that on the motion for Second Reading a Member should only make a Second Reading speech, and I have endeavoured to do that by stating the reasons why I intend to vote against this Bill. I oppose the Bill because, in my opinion, it is *ultra vires* in the present Parliament to give any species of guarantee, whether it is desirable to give it or not, and further, on the merits I think it is one of the most pernicious and injurious Bills to the entire Empire, and especially to Ireland, that can well be conceived.

*(10.1.) MR. RATHBONE (Carnarvonshire, Arfon): I ask the attention of the House to some of the features of the Bill now before the House, because, having for more than 40 years taken an active interest in the various measures and schemes for the improvement of Ireland, I am satisfied that there are omissions and provisions in this Bill which, unrectified, would intensify the misery, discontentment, and political dangers it is intended to remove. Nay, more, it would extend to the tenant farmers of Great Britain that agrarian discontent which has made the Government of Ireland so difficult, discontent which would be still more dangerous if extended to races far more tenacious and determined in the assertion of their rights than the Irish. But before entering upon the defects of the Bill let me say that I have never pledged myself against the safe use, within reasonable limits, of the credit and means of this wealthy country in the settlement of the land question in Ireland. No statesman or historian can deny that Great Britain shares with the landlords, tenants, and people of Ireland the responsibility for the state of affairs there; it is difficult, if not impossible, duly to apportion the share of each in the sad history of weakness, folly and wrong—we have all to bear our share; and instead of wasting time and strength in recrimination, it is far more practical and sensible to appeal to those many noble and patriotic qualities which history also proves our various nationalities possess, to combine all our wisdom and the resources at our command in the attempt to settle a ques-

tion, the settlement of which statesmen on all sides believe to be necessary—the one party contending that without it Home Rule is inevitable, and the other admitting that without it Home Rule would be unworkable. I should also wish to express my satisfaction that Government has decided to treat the congested districts on a different footing to the rest of Ireland, though I think their proposals for doing this will require the most careful consideration, and probably considerable modification. The circumstances differ essentially from those of the rest of Ireland, and require special aid and treatment. The inhabitants of the congested districts could not live on the land they occupy, even if it were their own, if aided alone by the wretched industries which they yet possess. Moreover, there does not exist in those districts materials out of which a safe and efficient system of Local Government could be constructed. On the other hand, in the rest of Ireland the population is by no means in excess of those who can live decently on the produce of the land, aided by industries which would thrive and extend if we only remove agrarian discord, and thus restore credit and confidence. Moreover, in the other parts of Ireland are found ample means out of which you can construct a good system of Local Government. I am glad the Bill contains provision for relieving those districts from the extreme pressure of population on the means of subsistence. I am glad, too, that it gives the option of emigration and migration, and I hope there will be no delay in making a trial of the former. Migration would be, if practicable, far the most desirable; but the experience of the two systems, both tried under exceptionally favourable circumstances during the last famine, told very strongly in favour of emigration. 11,000 of the population who were emigrated from the congested districts have been removed from the depths of poverty to prosperity in America and Canada, and have remitted many thousand pounds to support or bring out relatives; while those who remained behind in the Unions from which the emigrants went have been materially relieved by the removal of pressure of excessive population on the labour market, and on resources of the district. Of this we had ample evidence before the Colonisation Committee. I am sorry to say we were not equally successful in the attempt at migration. At that time the same preference for migration was expressed as is now, the people were starving, and I suggested that we should try just the experiment that was suggested last year by the hon. Member for East Mayo, that we should do it by private means assisted by a loan from Government. The hon. Member for Cork took up the measure very warmly, a Land Purchase and Settlement Company was formed under a Board of Directors, who ought to have ensured success, if success were possible. It consisted of those who believed in the success of migration; the hon. Member for Cork was Chairman, one of our ablest and successful and improving English landowners was Deputy Chairman, the late Mr. Dwyer Gray, the Members for Londonderry, for North Galway, the hon. and learned Member for South Hackney were Directors; it was difficult to conceive a more influential or stronger directorship. They bought exactly such a property as that recommended by the hon. Member for East Mayo, consisting largely of grass lands, which the Directors were to have possession of, but not a single tenant from the congested districts migrated on to this land. The Deputy Chairman came to me, I think soon after the purchase, and told me that the neighbouring tenants had given it to be understood that not one tenant should come on to the estate until they had all the land they wanted, and the whole plan broke down. I am aware that legal difficulties arose, but they were those that could have been got over, had not this greater difficulty been behind. I fear that while the greed for land in Ireland continues to be as strong as it is at present, migration cannot be considered a sufficient remedy for the surplus population of the congested districts. I agree, however, that it ought to be tried and to be adopted if it can be made successful, but it ought not to stand in the way of other remedies if unsuccessful; and if it can be tried under the management of those who believe in its success, I consider the decision so important that I should be willing under proper circumstances to join in a similar experiment. I think it is most desirable that a cheap system of land transfer should be embodied in the Government measure.

MR. A. J. BALFOUR: My hon. and learned Friend the Attorney General has a Bill for that purpose.

*MR. RATHBONE: I am very glad to hear that, as when once we have put those districts on the upward course of improvement it will enable them to work out their own salvation in a way that neither the Government nor charity can do. I am most anxious to see the land question of Ireland settled, and had hoped we should find that the Government had largely amended the Bill of last year, for the Purchase Clauses of that Bill contained provisions so dangerous and unguarded that I dare not vote for a Bill that is to retain them. But I cannot see that they have introduced any limitations or safeguards which have any chance of being effectual. I think that I can show the House in a very few words that, if we attempt to purchase the larger holdings, say those over £30 a year, you cannot complete the edifice you are thus beginning to build without putting a strain on the resources of the United Kingdom which it neither will nor ought to bear. I maintain further that instead of benefitting Ireland, and removing her discontent, you will recreate, and in a more aggravated form, the evils which you seek to prevent, and that the measure would, in its present form, create a precedent in the United Kingdom with which you would be incapable of dealing. I feel strongly the dangers of extending the purchase system to the larger holdings in Ireland, repeatedly pointed out by the hon. Member for Cork and other Irish authorities. I contend that to so extend them will impose unnecessary liabilities on both Irish and Imperial resources. Independently of being in itself evil, it will furnish a precedent so dangerous that on that ground alone it ought to be, if persevered in, absolutely fatal to the measure. If you refer to the Returns of the Agricultural Holdings of 1881 you will find that they show 585,721 holdings of £30 per annum and under; and only 74,430 of holdings of above £30 per annum, or, in other words, eight-ninths of Irish holdings are stated as below £30 per annum, and only one-ninth above. But while the eight-ninths of holdings of £30 and under, taken at 20 years' purchase, would require only £95,000,000 at the rates of rent current in 1881 to buy them the remaining one-ninth would require £103,000,000 to buy them. The Census Returns give different figures, they state 400,000 holdings at £30 per annum and under, and 163,000 holdings at over £30 per annum, or about seven-tenths and three-tenths respectively. I have been unable to find any tables or calculations which would enable us to ascertain what amount we must deduct from these figures for demesne and other grass holdings, which will not be dealt with under the Act, or for other deductions, which must be very large, for reductions in rents since 1881, and other deductions which will have to be made from the £95,000,000 and the £103,000,000 respectively. These reductions must be very large, and will emphasise the fact that for the comparatively manageable sum, less than one-half of what would otherwise be required, you can buy up from seven-tenths to eight-ninths of the whole of the agricultural holdings in Ireland, and they the only holdings which would create a *bonâ fide* peasant proprietary, where the labour of the owner and his family was the principal factor in the cultivation of the holding. Of course, the landowner would prefer to sell his property as a whole, but the part of his property left him is the safest and best; the large tenants are able to pay the rents and less likely to wish to shoot him. And though they will, no doubt, be discontented at being left out, what claim have they to force us to extend our advances to £120,000,000, or £150,000,000, or more, in order to include the purchase of these larger holdings whose owners are in a better position in many ways than English, Scotch, or Welsh tenants? If you once admit the principle of buying up these large tenancies you cannot possibly stop at the limit fixed by the Bill. And for what are we asked to take this extended liability and risk

If you do it you will inevitably create a large number of small landowners, who as soon as they become owners will at once want to set up as landlords, and live on the margin between the reduced rents they will have to pay, and those excessive rents which that intense greed for the possession of land which exists, and I am afraid for some time will continue to exist, in Ireland will enable them to exact. Those who are unacquainted with Ireland would be astounded to know the rents and tenant-right money that Irishmen will pay for land. I could give the House recent facts proving this, if proof were needed. I know that there is a provision against sub-letting such holdings without consent; but with the intense desire and great temptation there will be on both sides to let and take these holdings, no Government Department will be able to prevent sub-letting, any more than good resident Irish landlords have been able to prevent it in times past. The Bill as it now stands will inevitably create before many years are out the greatest curse of Irish landowning, the small grinding squireen landlord. The new landlords will be of the same character as the middleman of 50 years ago—poor, remorseless, exacting; and the new tenants, without tenant-right or capital, poorer, more reckless and desperate than even those now to be found in the congested districts. But the want of a proper limitation of the size of holdings involves in the precedent it will set a still greater danger to the country at large than the one I have pointed out. Any practical politician, any reader of history, knows that the democracy when its interests are concerned is apt to be very clear-sighted and very sternly logical in demanding the application of principles admitted to be just to its own affairs. And I would ask the House to consider how, if you pass this Bill in its present form, you are to meet the demands of the English, Scotch, and Welsh farmers, that they too shall receive similar facilities for becoming owners of their holdings, and at a large reduction of their present rents. Yet, without such limitation as has been suggested, the credit of England would be all too small to carry out a land purchase scheme on these principles. But if you adopt boldly the sound limitation of peasant proprietary of £30 and under you are safe, because the number of such tenancies in Great Britain is not excessive, and could be dealt with on sound principles, as it can be in Ireland, by a compassable amount. I must say that it has of recent years appeared to me that our statesmen too often, as in this case, grasp at an immediate palliative for some present difficulty, forgetting that they are establishing principles which involve frightful danger when people come to realise and insist upon their being carried out widely and consistently. I have not dealt with the precautionary restrictions introduced for the first time in the Bill of this year. They are absolutely worthless—that with respect to residence could be easily evaded, and both are made subject to an exception that they do not come into force if they interfere with carrying into effect sales on the estate of the same landlord. I fancy there will be few estates in Ireland where this exception might not be held to apply; and knowing, as the framers of this Bill must know, the history of the way in which such provisions have been disregarded in Ireland in times past, and the pressure that will be brought to bear by landlords and tenants interested to have the same treatment for the future; knowing this, it is really hardly respectful to this House to offer for their consideration provisions so utterly illusory. I have spoken strongly from no antagonism to the object of this Bill, for every one interested in, and acquainted with, the state of Ireland must earnestly desire the settlement of this land question, knowing it to be a necessary preliminary to the establishment of peace and prosperity in Ireland. This is a moment peculiarly favourable to the settlement of such a question. Could we not, in the present chaotic state of Parties, proclaim what was called in olden times "a truce of God" on this question, and combine the wisdom, experience, and patriotism of the wisest and best men of all Parties, and approach the subject in a spirit of sympathy, justice, and last, and not least, firmness, settle what all consider an essential preliminary to other Irish reforms, in whatever shape respective Parties contemplate them—do this, and I am confident you will make Ireland one of the most prosperous, easily governed, and I venture to predict, from the character of her people, not the least loyal and conservative part of Her Majesty's dominions.

(10.30.) MR. ATKINSON (Boston): I could not listen to the Senior Member for Northampton (Mr. Labouchere) without endeavouring to respond to his manner of putting the question. We all know what to expect from him, both by his speeches out of doors and the rumours in the Lobby, as to the way in which he is going to prevent business being done. To-night, amusing as he generally is, he has been more amusing than usual. He has given us to understand what the springs of his action are. He appears to think that the Liberal Party is so hopelessly split up that the section of which he is the leader is coming to the front, and he is evidently expecting that in the event of a political crisis the Queen will be sending for him. I, however, do not think that the hon. Member will be sent for during the present century, at all events. His idea is that we ought to have another Government—any Government so long as the present one is driven from power. Well, I would ask him to show us what benefit would result to the country from a change of Government, either in Irish affairs or anything else. They would not be able to bring from the Benches opposite any two or three men who, combined, would have the same grasp of Irish affairs as the present Chief Secretary, or who would fill the post of Chief Secretary as ably as the right hon. Gentleman has done. The British electors will read between the lines of the speeches of hon. Members opposite; they will see that they want to be in Office; they will refer to their doings, and then will vote in such a manner as will astonish the hon. Member for Northampton and his friends. [*Cries of* "Question!"]

MR. DEPUTY SPEAKER: The hon. Member is not speaking to the question before the House.

MR. ATKINSON: Then I will not follow the observations of the hon. Member for Northampton any further, as I see he is an unsound guide. I will only say that I congratulate the Government and the Chief Secretary upon the way in which they have framed the present measure, which, in my opinion, will cut the ground from under the feet of the agitators who are demanding Home Rule.

(10.35.) DR. CLARK (Caithness): I do not know whether I should congratulate the Chief Secretary or condole with him on his present position. I remember him as the great advocate of Protestant landlordism, on which our civilisation depends, and now he brings in a Bill which will strike a fatal blow at landlordism, and, if your civilisation depends on it, then at civilisation. As I do not believe in landlordism, I am glad that he has brought in his Bill. I hope to see it finished even in my own day. I think we are all agreed that Irish landlords must go, and but few hon. Members would like to eject them without giving them compensation. I object to the provisions of this Bill, however, and shall vote against the Second Reading, because I regard the prices at which the tenants are required to purchase their holdings as unfair, even when based on the rents fixed by the Courts, inasmuch as the Courts require the tenants to pay rent upon their own improvements, and because the Irish tenants are being coerced into buying their holdings. I object to it, on the second ground, in the interests of the public as well as of the tenant. Badly as the present tenant-farmers in Ireland have been treated, those of Scotland have also been badly treated; for every £1 stolen from the Irish tenants there have been £10 stolen from the Scotch tenants; therefore, I say that a Bill of this kind ought not to be used for a class, badly as they have been treated. I hold that the public as a whole should get the benefit of it, and not one class. The difference in the value of the estates in Ireland as between State purchase and the price that would be given in the ordinary way in the market is from £50,000,000 to £80,000,000. That sum, I hold, should not be given to a class, but to the whole community. I know that under the present tenure Irish tenant-farmers are paying their 15s. an acre, and are charging labourers and others £4 an acre in conacre, putting the difference into their pockets. I do not see why we should seek to benefit the small farmers alone by this Bill. Why not adopt a system by which the labourers and the general community could benefit as well as the small farmers? Such a plan has been proposed for England by the right hon. Gentleman the Member for West Birmingham, as Chairman of the Small Holdings Committee, and the right hon. Gentleman the Minister for Agriculture and some of his colleagues. If this Bill applied to Ireland the system recommended by that Committee I, for one, would support it. If you gave the tenants the land at a perpetual rent instead of letting them buy it out and out you would be able still further to reduce their rents. If we are to abolish the present landlord system, I do not think we ought to create new landlords. If it is wrong for a man to let land to tenants, it can only be wrong because private property in land of this character is an expedient. I do not think you will be able to prevent the sub-letting of some farms. When you are making a change of this kind the best way is to make it thoroughly and completely. If you make the payments by the tenants perpetual you can reduce the rents 30 per cent. instead of 20 per cent., and I think the farmer would much prefer a system under which this could be accomplished. Economic rent is not created by the tenant, but is the price paid for the more valuable sites and soils as against the poorer ones. The tenants do not create the artificial value of the soils. The soil has been created by the Almighty, and He never opened land offices and sold it. The economic rent from site is two or three times as great as the economic rent from soil. If, however, you are going to transfer a monopoly from one class to another you will not get rid of the monopoly, but will perpetuate an injustice, and you will soon have the community fighting as much against your new tenure and your new landlords. The new owners of the soil will be as bad as, if not worse than, the old landlords, because the wealthy landlords are generally the best and the poor landlords the worst. Very often the old Tory landlords are the best, and the new commercial men, who have bought the land, are the worst possible owners. The latter apply commercial principles to the land, whilst the old families still allow sentiment to influence them. I look upon it as a curse to the land when new men come in and apply economic principles to it. An hon. Member has said that in Donegal the people are all ready to buy. If the hon. Member had been to Dunfanaghy and Gweedore he would find there much the same state of things as in some of the Western Highlands, namely, that if you were to give the land rent-free and tax-free you would not be able to much improve the condition of the people. I know of one well-managed estate in Ireland, the proprietor of which is a very good-humoured gentleman, and probably as easy a landlord as any in the country. Nine-tenths of the people are on one-tenth of that estate, and the remaining nine-tenths of the estate is occupied by one-tenth of the tenants. It would be no solution of the land question at all to bring these tenants in as purchasers. To do so means the creation of another form of land monopoly and privilege which will lead to fresh agitation, and give us more work in this House in future. At the present time I am not very much interested in politics, but by-and-bye the questions in which I am interested will come to be legislated on, although it may not probably be for three years. But looking at the questions which come before us, I am, for one, beginning to feel Conservative. Even from hon. Friends from whom I expected better things I hear views expressed that show them to be in a state of sentimental socialism. There will before long be new lines of cleavage between Parties, and the great fight will probably be between Individualism and Socialism. I am an old-fashioned Individualist, and I want to get rid of conditions of property which are dangerous to property as a whole. I believe a man has a right to whatever his labour has created. Land, of course, has not been created by labour, and I would point out that a bad form of property will help the crusade against all forms of property. The best way of settling the question is not to create new privileges and new monopolies that could not be justified, but to get rid of those who possess the present privileges and monopolies. They will consent to be bought out at a rate which is not a dear rate. Do not create new landlords, but pass over to the community what ought to belong to the community, and you will then avoid the struggle to get from the community that which the community ought not to have. I say that if you adopt the system recommended by the right hon. Gentleman the Minister of Agriculture, the right hon. Gentleman the Member for West Birmingham, and others who sat on the Agricultural Holdings Committee, you will be able to reduce the amount paid by the tenants much more than you can do under this Bill; you will be able to get a better price for the landlord, and will put an end to an agitation which you will not bring to an end by this Bill.

*(10.52.) SIR E. GREY (Northumberland, Berwick): I do not wish to enter into any discussion on the merits of the Bill, because they have already been so extensively discussed by the House that I can say nothing additional. I think there were many valuable criticisms in the speech of the hon. Member for Caithness (Dr. Clark), but I think they come rather nearer to Socialism than he himself seemed to be aware of. I admit that some of his criticisms might with great advantage be given full weight to in the further development of this Bill, but I regard the vote that will be given on the Second Reading of this Bill as one on the principle of land purchase, and the question to be answered is not whether the Bill before the House is or is not perfect, but whether the Bill is so bad that those in favour of the principle of land purchase ought not to vote for the Second Reading. The hon. Member for Northampton (Mr. Labouchere) has made an attack on the Bill from the point of view of the British taxpayer, and has directed the British taxpayer's attention solely to his own pocket. The British taxpayer would have been more grateful if his attention had been a little more directed to the merits of the Irish question from the point of view of Home Rule. As an English Home Ruler I intend to vote for the Second Reading of the Bill. The great difficulty in governing Ireland so far has been the agitation and unrest in the country which Government after Government have found it almost impossible to allay. The same agitation will be the difficulty of a Home Rule Parliament, and, as I wish to see the success of Home Rule in Ireland, I wish first to remove as far as possible all difficulties from the settlement of the land question. There has been no stability in Ireland, because the great body of the people who are engaged in the chief industry of the country have had no future to which they might look forward. The Bill before the House proposes to create such a future, and it will go far to create a class of people who will form a sound and stable basis to resist those trials to which a new Government in Ireland must necessarily be especially subject. One of the great difficulties in connection with the land question in Ireland has been that the Irish tenant cultivating the soil has never been brought face to face with economic conditions. Between him and economic conditions there has always stood the landlord, and when the tenant has suffered—not always, though very often, from high rents—it is the landlord and landlordism he has blamed. The first duty of Parliament ought to be to remove this wall between the tenant and economic conditions, and to let the tenant see things clearly as they really exist, so that he may shape his course accordingly. People talk about sub-division and sub-letting, but it is landlordism that has been at the bottom of the sub-division and the sub-letting, because the tenants have never recognised the true economic conditions. There are many Home Rulers who feel that the Home Rule movement has been greatly and mischievously complicated by the land question, and that it will be a great advantage if we can get the political question put before Irish public opinion quite free from the agrarian complication. One great difference between us and Unionists is this—that Home Rulers believe that if you settled the land question absolutely to-morrow there would still remain the demand for Home Rule. On the other hand, Unionists seem to think that if we could only settle the land question we should get rid of political difficulty in Ireland. Home Rulers do not believe that, and I, for one, wish to see the point put to the

test; and I am, therefore, willing to support any well-considered effort on the part of Unionists to put an end to the land difficulty in Ireland, and I am willing to abide by the result as it affects the political movement. It will be said that this Bill is capable of improvement, and that I ought not to take so strong a step as to vote against my Party; but those who are in favour of land purchase have no choice in the matter. A large section of the Liberal Party have done their best to put it beyond all doubt that the Liberal Party will never support a policy of land purchase for Ireland; they have done their best to make that policy for ever impossible. At all events, they have told the country it ought never to be done by British credit, and how will they do it without, if the terms offered are to be as favourable as now? What alternative remains if there is no chance of a Land Purchase Bill being passed by the Liberals if they come into power? The alternative seems to be this: Assuming this Bill to have merits that are worth voting for, it is to vote against this Bill, and by so doing obtain whatever credit is to be gained for having resisted a measure which is not popular in every part of the country, and for having opposed the Government, and then to go for Home Rule for Ireland, feeling that all difficulties have been removed by a Unionist Government, and that it was these very difficulties the removal of which Home Rulers had opposed. This would be to obtain all the benefits of a land purchase measure, and at the same time to take credit for having opposed it. I will not say anything about that course on conscientious grounds, for I have observed in politics that when a man begins to talk about his conscience people conclude that he does not possess one. The course I have described is one which is very obvious, but it is one which is sure to be found out, and it is one which will be resented by the electors when it is found out. I do not believe that this Bill is as unpopular as some seem to think. When a surgeon is advancing to perform a painful operation on a patient, we do not expect him to make any great show of cheerfulness and enthusiasm, and land purchase is not a pleasant operation to undertake. Land purchase in Ireland is not a pleasant subject, but at the same time the question is one it is necessary to take into consideration, and I believe the country will look upon it from that point of view. Apart from the question how far this particular measure is unpopular throughout the country, the Opposition have something to gain by showing themselves willing to support it. I do not think that many by-elections have been won by anti-land purchase speeches, but they have been won by Home Rule speeches, and the two things are not the same. There are still doubtful electors throughout the country, and, considering how English Parties have for years come under the suspicion of using Irish questions for Party purposes, the Liberals have more to gain by making some show of courage, firmness, impartiality, and disinterestedness in supporting a measure brought forward in the interests of Ireland, even when it comes from the other side, than they will lose by risking the loss of the votes of a few timid and selfish taxpayers.

*(11.8.) MR. MACARTNEY: The opposition to this Bill should not be based on the assumption that it is a landlords' measure; no one can think so who knows the reception it has met with in Ireland among the landlords of the country. The landlords have never asked the Government to introduce it. With regard to the objection that there is a want of local control in the purchase department, I can quite understand the right hon. Members for Mid Lothian and West Birmingham placing great value upon the interference of Local Authorities; but if the Government want to hang up the Bill and to make it inoperative, they will give effect to the views of those right hon. Gentlemen, because I am perfectly convinced there would be no possibility of the measure having any operation if that had to depend upon the decision of a Local Authority. I hope, therefore, that if the Government desire to make this an effective measure they will resist the suggestions that have come from the opposite side of the House. Objection has been taken to the elimination of the 20 years' limit of purchase; but that, I think, has been answered by the hon. Member for South Tyrone. The

objection last year came from both sides. In fact, the objections made last Session, when the previous Bill was before the House, were not directed to inflict injury upon the tenant, but to remove hardships inflicted on the landlords by certain provisions, and the removal of the limitation in no way interferes with the operative value of the scheme of land purchase for the tenant. I do not pretend to say that this is a Bill I entirely approve. I presume that there are very few landlords in Ireland who would approve it as it is now drawn, but I agree with many Members on both sides of the House in desiring to see the land question in Ireland settled. Recognising, therefore, that the Government have given an ear to the complaints which have come from both sides of the House, that they have, as far as they could, endeavoured to meet the arguments used against certain portions of the measure introduced last year, I shall vote against the Amendment moved by the hon. Member for the Rushcliffe Division of Nottingham, and shall support the Second Reading of the Bill as it is drafted, and as it has been now introduced on the authority of the Government. I have never been an enthusiastic admirer or advocate of an extended scheme of land purchase in Ireland, but I should not like to take the responsibility at the present time of declining to support a measure which has been, to a certain extent, re-cast, which I believe to be as good a measure as can be produced by any Government, and especially when there is no prospect of any measure being forthcoming from the Party opposite.

*(11.15.) Mr. WINTERBOTHAM (Gloucester, Cirencester): It is not my intention to join in any attempt to talk out the measure, or prevent a Division being taken, but I do not like to give a silent vote against this Land Purchase Bill. I oppose the Bill, first, because I was one of those who at the last election declared against the land purchase scheme of my own leader. I am not one of those hon. Members, of whom I see several opposite, who at the election placarded the walls of railway trucks stating the number of tons of gold which would be taken out of the taxpayers' pockets by a land purchase scheme and given to Irish landlords; but I declared against using British credit or the money of the British taxpayer for the purpose of buying out Irish landlords. I shall vote against the Bill next on the principle that I object to using public money for private good. This Bill will benefit a certain number of landlords (who will sell their estates for more than they could get in the open market), and also will benefit a certain number of tenants who will become landowners through the use of British credit. I fail to see that a tenant has any right to demand from the Legislature more than two things—first, that the conditions of tenure on which he holds his land shall be fair, reasonable, and just; and, secondly, that the rent he pays shall be a fair rent. This is a very awkward precedent which is being set up, and hon. Gentlemen opposite may rest assured that if public credit is to be used to-day for the purpose of creating a new class of landlords in Ireland, it may be used hereafter when it shall be sought hereafter to dispossess landlords in Scotland, England, and Wales! But while putting the British Exchequer in this most invidious position of rent collector in Ireland, the Government have not the justification (though, doubtless, many of their supporters honestly believe they have), of being satisfied that this measure will tend to the lasting peace and contentment of the country. Forty-nine years is a long time to look forward to, and probably only a very small proportion of tenants who purchase will carry out the bargain they have made; every few years a certain proportion of the holdings will change hands—some of them will change hands repeatedly before the redemption is complete. I therefore fail to see that this Bill will do anything to bring about permanent contentment in Ireland. At the most, it will only affect at all a small portion of the tenantry of Ireland, while it will leave the rest more discontented than before. It is, indeed, no final settlement. My last objection is that the Government are giving the gigantic bribe of a large sum of money to the landlord class in Ireland. They are making themselves a reputation as a Government of being a kind of "universal provider," because, after try-

ing to endow out of public money the property of the brewers and the public-house holders, they have called Parliament together at this season for the purpose of rewarding two other classes of their friends. The Tithe Bill is intended to benefit the clerical supporters of the Government, and the Land Purchase Bill is intended to buy out at enormous cost Irish landlords. Hon. Members opposite know that the sum of money that the landlords will get under this Bill will be far above what would be got by them in the open market on the free sale of their property. I believe the constituencies, who declared in 1886 against the employment of British money for such a purpose, will be found at the approaching General Election to adhere to that declaration.

(11.21.) MR. PHILIPPS (Lanark, Mid): I was amused at the way in which the hon. Member for South Antrim (Mr. Macartney) came down here to bless the Government. Generally from the loyal and patriotic class there come complaints that the landlords would be robbed by land purchase proposals, but at last, apparently, the Government have done enough to please their supporters in the North of Ireland. To meet the views of their friends in the North of Ireland the Government have removed the limitation of years' purchase, and thus the risk to the British taxpayer is increased. At the best it is very doubtful whether the money advanced will return to the British Treasury, and I have not yet heard any argument showing the necessity for the Bill. I speak, of course, of the Purchase Clauses. As to the congested districts part of the Bill, that, I understand, deals with Irish Church surplus money, in which I am not concerned to interfere. I may say that I do not think that the congested districts part of the Bill will have any far-reaching effect. That, however, is not a matter a British Member need go out of his way to criticise. But I do not think this part of the Bill will do any harm. So much cannot be said for the Purchase Clauses. We all know where the benefit will go. The Conservative Party, after four years ago denouncing land purchase for Ireland in unmeasured terms, have introduced a Land Purchase Bill every year since, and I must say it is not a very creditable thing that these proposals emanate from the Party many of whose supporters are directly interested. I believe that under the Ashbourne Act of 1888 £1,500,000 of the purchase money went to families members of which have seats in this House. I have no doubt in this there is to be found a reason for bringing forward this Bill. We are within a measurable distance of a dissolution, the position of affairs is precarious, and the Government have resolved that before they run the risk of leaving Office they will endeavour to reward their Irish friends. Hon. Members opposite have praised the conduct of Irish landlords; but the Chief Secretary when he introduced this Bill told us that Irish landlords had not, in many cases, made improvements on the land, or put up cottages for labourers, and that owing to political agitation the Irish landlord is no longer in a position to perform the ordinary social duties of a landlord. In other words, the landlords do not do their duty. But good or bad, at any rate the Chief Secretary has determined that by his scheme he will extirpate them from Ireland as far as he possibly can. Supporters of the right hon. Gentleman may say this legislation is brought forward for the settlement of the Irish question, but everybody who has knowledge of the operation of the Ashbourne Act knows that a very large number of the holdings purchased under the Act were so small that tenants could not live from the farms rent free. The purchase of these small holdings cannot have the effect of settling the land question, because the people cannot live on the holdings. They would not be able to do so, even if they were given to them for nothing. In speaking on the Irish land question, it is a common thing to refer to the way in which Ireland has been coerced by absentee landlords, but by this scheme of legislation you are creating the greatest absentee landlord it would be possible to make. This money which will be paid in the form of rent will all go out of the country to London, and you will have a complete system of absentee landlordism. The economic effect of that cannot be other than bad. [*Cries of* "Divide!"] There seems to be an idea amongst hon. Gentlemen opposite that landlords demand some sort of special consideration, but why should landlords receive more consideration than other people? Recent legislation, it is true, has brought down their rents, but the original rents were unfair; therefore I fail to see why the landlords deserve special consideration. We have already spent £5,000,000 on this land purchase; we are told that another £33,000,000 will be required under this Bill, and it is an open secret that that is not all that will be required. At the last General Election the right hon. Gentleman the Member for West Birmingham (Mr. J. Chamberlain) said that £150,000,000 or even £200,000,000 would be required. [*Cries of* "Divide!"] I must say this anxiety for a Division is somewhat excessive, seeing that no one can say that the business of Parliament has been obstructed during the last two or three days, and that the subject we are debating is the expenditure of £33,000,000. We consider, having regard to the speech of the Chief Secretary for Ireland in introducing the Bill, and taking it in conjunction with the speech the right hon. Member made in the early part of this year, that he has made considerable efforts to hedge round his plan with collateral security. If I rightly remember, in the spring he said that his securities made us safe against everything but an organised repudiation of the payment. But is such a repudiation impossible? Hon. Members opposite never tire of telling us of the illegal combinations of the Irish tenants, and it certainly seems to me that it will be much easier for the tenants in Ireland to combine together against one landlord and one estate than it is to combine against different landlords and different estates. When the peasantry come to reflect upon the large sums of money which will have to be paid by them—paid, as they will say, by them to Englishmen—it will be a very easy thing for an agitator to go round and call on them to repudiate this tribute altogether—and "tribute" was the word used by the right hon. Member for West Birmingham. [*Cries of* "Divide!"] I cannot see that we have any strong guarantee from anybody that this attempt at repudiation will not be made. We have had no Irish Members getting up and declaring that they approve of the scheme, and will accept it. I do not say that if the Irish Members accepted it I should be in favour of it; but I say that whatever a guarantee from the Irish Members might be worth, we have not even got that. Two or three Members who have spoken to-night have put before us what they call dilemmas—even the hon. Member for South Tyrone. He says that the Bill will be popular in Ireland, and that there has been pressure brought to bear on the Irish Members to induce them to vote for it——

MR. T. W. RUSSELL: I did not say that.

MR. PHILIPPS: He said something to the effect that the Bill was popular amongst the tenant farmers of Ireland.

MR. T. W. RUSSELL: The Member for East Down said so. I spoke for the tenantry of Ulster.

MR. PHILIPPS: I thought the hon. Member was speaking for the whole tenantry of Ireland. I accept his correction. At any rate, another hon. Member opposite said that all classes in Ireland were clamouring for the Bill. Hon. Members were candid, especially the hon. Member for South Tyrone, who said it would be impossible to give the localities control over the money. He said the localities would refuse to accept the responsibility, and that the Bill would be ruined. He was candid, and we were charmed by his candour. It is too much that hon. Members should tell us at one moment that this Bill is popular with everybody, and at the same time say, "We will not trust the localities with any veto in the matter, because if we did they would veto the scheme at once." As to the safety of the scheme one thing is certain, namely, that if

Ireland liked to combine against the payment of rent it would be absolutely impossible for the British taxpayer to evict the whole nation. We know well enough that even now landlords arouse a certain amount of public opinion when they are evicting the poor tenants even on one estate; and every one will admit that it would be impossible for the British Executive to evict the whole peasantry of Ireland if they chose to combine against this scheme. Even if we turned these poor people out of their holdings we know from the hon. and gallant Member opposite (Colonel Saunderson) that "evicted farms do not let very readily." I am glad the hon. Member for Northampton gave us his opinion as to how this question ought to be settled; because I take it that very few Members of the Liberal Party who are in favour of the House dealing with the question of land purchase are in favour of this Bill. Judging from the speeches of Liberal Members, it is clear that they are becoming every day more strongly opposed to any further guarantee by the British taxpayer. Then what I, for one, wish to see is that this question should be left to the Irish people in an Irish Parliament to settle. That is what Home Rule means to a great many people. I am sure I can speak for my own constituency. ["Oh, oh!"] Well, I come from a bye-election, having been returned more recently than some hon. Members opposite; and I can assure the House that my constituents look forward to decentralization not only in Ireland, but in Scotland, and they think that one of the most essential powers of any Home Rule Parliament should be the control of the land system of its country. It seems to me that the Irish would be very unwise if they accepted a Land Purchase Bill of this kind, because whatever advantage the Irish tenant may get from buying his land now there is no doubt that the tendency of the value of land in Ireland is downwards, and that if the tenant will wait a few years he will get his rent reduced. He will, at any rate, be able to buy his land under a Home Rule Parliament at a great many years less purchase than he will have to pay to-day, and the Irish Executive will have the advantage of having the whole rent roll of the country as a basis of taxation. The tendency of the legislation of hon. Gentlemen opposite is to make endless calls upon the public purse—as we saw last Session in their proposal for the compensation of the publicans, and as we see this Session in their proposals for tithe redemption and Irish land purchase. I do not say that the money they spend is always wasted. It was not wasted in the case of the Bill passed in the early part of the year for the housing of the poor. When one sees how the public expenditure is being increased, and how local debts are being increased, and how they are sure to be increased by useful legislation like that relating to the housing of the poor—I say that when we see this tendency towards the expenditure of public money going on increasing, and when we see it proposed to spend the money in a fresh manner every Session, it is a most serious thing. It is not as if we were paying off large sums of debt. Hon. Gentlemen opposite in their platform speeches are continually boasting of having paid off large sums of public debt; but it is within the memory of some of us that we are still, under the scheme of the Chancellor of the Exchequer, reducing the Debt by £500,000 less per annum than was the case in the last Administration. You must remember that it is not possible for this country to borrow unlimited sums of money—that the amount people will lend at 2¾ per cent. is limited. Whether the Debt is large or small, the credit of this country is the possession of all its people. Speaking as a Scotch Member—[*Cries of* "Oh!"]—I do not pretend to speak for Scotland, but surely I may speak for my own constituents; I represent a very poor industrial community, and, speaking for the people there, I say that if the State is going to use its credit at all, it should be used for the benefit of the poor people of Scotland just as much as for the benefit of the landlords in Ireland. It is a very serious thing that the Government are proposing these extravagant plans for dealing with many millions of public money; and it is in the interest of the taxpayers, in the interest of the poor people, to whom I should like to see this money voted, that I oppose the proposal, as I shall oppose any proposal of land purchase, whether brought forward by hon. Members opposite or by gentlemen sitting on the Front Bench on this side of the House.

(11.52.) MR. STOREY (Sunderland): I beg to move the adjournment of the Debate.

Motion made, and Question proposed, "That the Debate be now adjourned."—(*Mr. Storey.*)

*THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): I think, Sir, it is the general desire of the House to bring this Debate to a conclusion to-night. If there is a wish on the part of any considerable number of hon. Gentlemen to continue the discussion I shall not oppose the Motion for adjournment; but from information that has reached me I am led to believe that it will be for the general convenience to close the Debate to-night. If it is the opinion of hon. and right hon. Gentlemen opposite that it will be to the advantage of the question that the Debate shall be prolonged I will not oppose the adjournment, but will submit to the convenience of the House.

(11.53.) SIR W. HARCOURT (Derby): I feel that it would be hardly decent to limit to one night the Debate on the Second Reading of a Bill of this magnitude, which involves such enormous interests, as long as there are gentlemen who desire to prolong it.

*MR. W. H. SMITH: I certainly shall not object if there is a general desire to take a serious part in the discussion.

(11.54.) Question put, and agreed to.

TITHE RENT-CHARGE RECOVERY BILL.—(No. 110.)

Order for Committee read.

An hon. MEMBER: Now, Sir——

SIR W. HARCOURT: I understood that a pledge was given——

MR. DEPUTY SPEAKER: To-morrow.

Mr. Philipps

SIR W. HARCOURT: Mr. Deputy Speaker——

MR. DEPUTY SPEAKER: There is no Question before the House. The Order being called, I called upon the hon. Member in whose name the Instruction stood, and as he did not respond, no one else could move the Instruction. The Question is postponed till to-morrow.

Order postponed till to-morrow.

TRANSFER OF RAILWAYS (IRELAND) BILL.—(No. 113.)

SECOND READING.

(11.55.) Motion made, and Question put, "That the Bill be now read a second time."

The House divided:—Ayes 224; Noes 73.—(Div. List, No. 5.)

Bill read a second time.

On the Motion that the Bill be committed on Wednesday,

(12.8.) DR. CLARK: May I ask the Government whether, seeing that this Bill has only been delivered to-day, they will not consent to postpone the next stage, so that hon. Members may have time to propose Instructions for the purpose of modifying the measure? I think that to bring in a Bill like this, and attempt to rush it through the House without a word of explanation in the manner proposed, is very unfair.

MR. A. J. BALFOUR: I may point out that if the hon. Member had been in the House when I introduced the Bill he would have heard a very adequate explanation of it. Everyone who is acquainted with the state of things in Ireland is well aware that the measure is one that ought to be passed with as little delay as possible. I can assure the hon. Gentleman there is nothing in the Bill which puts an extra 6d. of taxation on the people. However, if it be any satisfaction to the hon. Member, I have no objection to defer the Committee stage until Thursday.

Motion made, and Question, "That the Bill be committed on Thursday," put, and agreed to.

House adjourned at ten minutes after Twelve o'clock.

HOUSE OF COMMONS,

Wednesday, 3rd December, 1890.

MR. SPEAKER'S CONTINUED ABSENCE.

The House being met, the Clerk at the Table informed the House that Mr. Speaker was again unavoidably prevented from taking the Chair of the House this day.

Whereupon Mr. Courtney, the Chairman of Ways and Means, proceeded to the Table; and, after Prayers, took the Chair as Deputy Speaker, pursuant to the Standing Order.

HISTORICAL MANUSCRIPTS COMMISSION (LIST OF REPORTS.)

Address for—

"Return of complete List, with dates of issue, of the Reports of the Historical Manuscripts Commission, and of the Appendices thereto, together with an Alphabetical Index of the Collections examined and reported on, giving a reference to the Report and Appendix wherein the result of the examination may be found."—(*Mr. Stuart-Wortley.*)

ORDERS OF THE DAY.

PURCHASE OF LAND AND CONGESTED DISTRICTS (IRELAND) BILL.—(No. 111).

SECOND READING. ADJOURNED DEBATE.

Order read for resuming Adjourned Debate on Amendment to Question [2nd December], "That the Bill be now read a second time."

And which Amendment was,

To leave out from the word "That" to the end of the Question, in order to add the words "inasmuch as the Government have advised the landlords in Ireland to combine, strengthened their already exceptional power of eviction, and freely placed at their disposal the forces of the Crown to evict for the non-payment of unjust rents large numbers of those to whose toil the rental value of their holdings is chiefly due, and have also passed and ruthlessly administered a law of exceptional nature to prevent combination on the part of the tenants, and whereas, as a result of this policy, equality of conditions as between buyer and seller has been greatly impaired, and the landlord's interest is maintained at an artificial value, and it is not proposed by the Bill to invest any Irish authority with a control over the transactions, this House declines to pledge the credit of the country to the scheme proposed by the Bill as being alike unsafe to the Imperial Exchequer and unjust to the Irish occupier,"—(*Mr. John Ellis,*)

—instead thereof.

Question again proposed, "That the words proposed to be left out stand part of the Question."

Debate resumed.

*(12.20.) MR. CHANNING (Northampton, E.): I had hardly expected to address the House at this moment, but I understand that other speeches which would have preceded mine will be delivered at a later hour. There are one or two considerations which I wish to lay before the House in order to justify my opposition to this Bill, especially after the speeches delivered yesterday by my hon. Friend the Member for Haddington (Mr. Haldane) and my hon. Friend the Member for Northumberland (Sir E. Grey). The hon. Member for Haddington stands alone, I think, in his interpretation of the machinery of the Bill, in thinking that machinery might easily be adapted to the new condition of affairs, if Home Rule were carried. He stated his case with clearness and moderation, and consideration for those who do not agree with him. But I must say that the speech of the hon. Baronet the Member for Northumberland gave me a certain amount of pain. He had a perfect right to express dissent from the action of the rest of his Party, but I do not think he did so in a manner which tended to create confidence in his judgment among hon. Members on this side of the House. He said that the views expressed on this side of the House were merely in the interests of timid and selfish taxpayers. He added that the Radicals were not sincere in their opposition to the Bill, and that secretly they wished it to be carried so that one of the main difficulties which stand in the way of Home Rule may be removed. I demur to the contentions of both of my hon. Friends. The question goes far deeper. We are sent here to protect the pockets of the taxpayer, and if he is subjected to any risk or danger we are bound to protect him. But the question is one which

goes even deeper still than any interest of the taxpayer. We oppose the Bill because it offends against the economic and social principles which lie at the root of the reforms which we wish to see carried out in Ireland. We desire to see self-government established in Ireland, but we think that the Bill, in the form in which it is drawn, will tend rather to postpone than to promote that object. Both the hon. Member for Haddington and the hon. Member for Northumberland seem to me to treat the question in a superficial way. They have treated the Bill as if it were an indispensable preliminary to the carrying out of any measure of Home Rule. The hon. Member for Haddington contends that it is the merit of this Bill that it will place the substantial Irish tenants —the men with some capital—in possession of their farms, whereas the hon. Member for Northumberland is of opinion that the Bill will affect the poorer tenants, will remove the discontent of the Irish people, and so lead to their pacification. These two reasons contradict and defeat each other. We do not admit that land purchase is essential to Home Rule for Ireland, but we maintain that the proposals of the Government are fraught with social, political, and economical dangers. It is on account of these dangers that we believe the passing of the Bill would create difficulties in the development of self-government in Ireland, and the final solution of the land question. I have yet to learn that the arguments put forth last year with great force by the noble Lord the Member for Paddington (Lord R. Churchill) as to the danger of making the State the creditor, or the universal landlord of all the tenants of Ireland, have received an answer; or the powerful speech of the First Lord of the Admiralty in 1883 when he brought this question before the House, and pointed out that the danger was not to be despised, and urged that it would be necessary to provide a Local Authority which should be interested in the collection of the rents. Nor have we had any answer to the contention of the right hon. Gentleman the Member for West Birmingham (Mr. Chamberlain) in 1886, when he pointed out to the working classes of this country the dangers in which they would be involved if they became the creditors of the Irish tenants, and the terrible position in which they would be placed if they had to carry out evictions and to enforce payment at the point of the bayonet. The hon. Member for the Rushcliffe Division (Mr. J. E. Ellis) has laid before the House evidence which I personally regretted to hear, because I am not sure that the action of some of these Irish tenants can be justified in finding fault with the instalments they have to pay. That evidence creates uncertainty in regard to the future of land values in Ireland, and shows the danger of social disorder and disorganisation in Ireland that must ensue if the debts of the purchasing tenants were repudiated, a contingency that would not be unlikely. But I will go further. I am not afraid of the full logical results of Home Rule, and I will say that no Home Rule Parliament would be worth granting in Ireland unless it is fit to discharge the duty which we Radicals, at any rate, wish to place in the hands of the County Councils and Municipal Authorities, namely, of dealing in an equitable way with the land within their jurisdiction. The hon. Member for Northumberland said that it would be beneficial if the tenants of Ireland were brought in contact with economic facts, and made to face them. That has been our contention from the first. We want them brought face to face with them, and made to see the social and economic facts which stand before them. But I say the same for the landlords. They should be made to face the facts, too, and it would be doing them no kindness if we created a false impression in their minds by passing a Bill of this kind, and by blinding their eyes to those economic laws which, sooner or later, they would have to face. The future of Ireland depends upon the tranquillity and good understanding between different classes, and this can only be brought about, not by such a measure as this, but by a full recognition of facts and economic laws. We object to this Bill primarily and finally, too, because it is a Compensation Bill. My hon. Friend the Member for Dumfries (Mr. Reid) made a strong speech on the point yesterday, but I do not think he was quite aware how strong a case he might have made out that the Bill from the beginning to the end is a Compensation Bill. What has been the origin of these proposals? My hon. Friend was in error in attributing to the Chief Secretary in his speech in 1883 the argument of compensation as a justification for land purchase, but he would not have been in error if he had pointed out that the Motion of the First Lord of the Treasury in the previous year was the direct outcome of the Report of the Lords Committee on the working of the Land Act of 1881. In 1882, in moving for the Committee, Lord Donoughmore, after referring to the terrible results of the Act of 1881 upon the position of the Irish landlords, and expressing alarm at the 70,000 originating notices under the Act, stated that they wanted the Committee in order—

> "To take some steps to check, before it is quite too late, that 'heavy loss' and 'ruin' which the Prime Minister himself repudiated and disavowed, but which is being inflicted day by day upon an admittedly guiltless class, the landlords of Ireland."

Let me turn to a still higher authority, Lord Cairns, who was then Lord Chancellor of Ireland. He said, in the same Debate—

> "The Land Commissioners are alienating a portion varying from one quarter to one-third of the ownership of land in Ireland from those who have hitherto held it to those who have never held it at all. . . . The Act was like the infant Hercules; it had taken to strangulation—but it has strangled the landlords instead of the Land League."

We have here the clearest proof that the real motive of these proposals was to obtain compensation for Irish landlords for that average of 20 per cent. loss in their rents which they had sustained by the operation of the Land Courts in Ireland. After this House had committed itself not only to the original judicial rents, but to the revision of them, it would be an outrage upon common sense to deny that the motive and the arguments out of which these proposals sprung were not, in the main, the desire to secure some relief and some compensation to the Irish landlords for their losses as the result of the legislation affecting the position of rent. That is my first contention against this Bill. My other contention is that whether it is a compensation Bill or not, the price to be paid for the land—the price for which the British taxpayer is to contribute his credit, and to stand a certain amount of risk in the future, is not a fair price nor is it to be assessed in a fair manner. How is this assessment of price to be arrived at under the proposals of Her Majesty's Ministers? It is to be left to freedom of contract. We know what freedom of contract in Ireland has been in the past, and how persistently and effectively Her Majesty's Government have strengthened the hands of the landlords in exercising what they call freedom of contract. They have at their backs a force of 35,000 armed men; they have new machinery of law creating new offences to defeat combination, and they have been able to reduce anything like freedom of contract to the most contemptible farce. Now, what should be the true basis of the price for land if it is to be bought at all in Ireland? In this very Committee of the House of Lords to inquire into the operation of the Land Act, Mr. George Fottrell, then solicitor to the Irish Land Commission, said in his evidence—

> "Both parties arrive at the capital or purchase value of the land through its annual value, so that until the annual value shall have been established, they have not got a standard by which they are likely to come to a bargain for the sale of holdings."

Going further back than Mr. Fottrell, there was the Commission, presided over by Lord Devon, which came to distinct conclusions on this point, and nothing can be more pregnant of wisdom than the words of that Conservative Peer when he said that the fundamental problem to be solved in Ireland was—

> "To draw a distinct line between what was the property of the landlord and what was the property of the tenant."

My contention is that that maxim laid down so wisely more than 50 years ago by that Conservative statesman has never yet been carried out. We have not yet arrived at a real separation of what is the property of the landlord from that of the tenant. Mr. Knipe, one of the Cowper Commission, in his separate Report, said—

> "Advice not to purchase was justifiable under present circumstances. It would be a serious

> matter if tenants were compelled to purchase upon the basis of judicial rents fixed prior to January, 1886, or that they should involve themselves in all the consequences and responsibilities of ownership before rents have been readjusted, so as not only to meet the fall in prices, but also to exclude from the rent the value of the tenant's interest and improvements. I am anxious to see dual ownership abolished, but purchase on any large scale can only follow the revision and reduction of rents."

That is the opinion of a man of practical experience in regard to land matters in the North of Ireland, who up to that time, at any rate, was a warm supporter of the policy of Her Majesty's Government. I will refer to only one more statement, which I think will be held to be one of weight and force in support of my contention that the rents of Ireland are not nearly fair, and that until they are any scheme of land purchase which enables the landlords to bargain on the basis of so many years' purchase of a rent which is confessedly unjust, can only result in social confusion and economic discomfiture. There was a Memorandum appended to the Cowper Commission, signed by the Bishop of Elphin and other bishops of the Roman Catholic Church. I will not read it, because the Chief Secretary and others must know it by heart. It put forward in the most moderate terms the contention I am now insisting upon, that the rents are not fair, and that they do include a portion of the tenants' improvements and the tenants' interest, and that until you have righted that fundamental wrong, land purchase will always remain tainted and full of danger. We know what happened in this House in regard to the Healy clause in 1881, and what happened in Ireland in the decision of the case of "Adams *v.* Dunseath," which practically placed at the mercy of the landlord the tenants' improvements from one end of Ireland to the other. When the Healy clause came under the consideration of this House the right hon. Member for Mid Lothian (Mr. Gladstone), in urging the restoration of the clause in this House, after its mutilation by the Lords, said—

> "The doctrine accepted at the time of the Land Act of 1870 was that the tenants' improvements were the tenants' own property, and he would not admit the principle that the time during which he had enjoyed those improvments was any reason of their passing from him."

Mr. Channing

That is the basis of our contention. On the decision of the Courts in Ireland these rents have remained tainted with unfairness, and do involve an injustice to the tenants. We were returned to the House of Commons as persistent opponents of land purchase from whatever side it came. There is no question upon which the Liberal Party would be so firm and so unanimous as the question upon which I am now addressing the House. But the Bill of 1886 had, at least, these two great merits, that it carried out what the First Lord had insisted upon in 1883, that the administration of land purchase in Ireland should be entrusted to authorities locally responsible, and there was machinery in that Bill for the assessment of a fair price under certain circumstances. Then the right hon. Gentleman the Member for Mid Lothian in his Bill deducted from the judicial rent 20 per cent. on the average for rates, tithe rentcharge, repairs and other outgoings of the estate, but in the estimate laid before us by the Chief Secretary last spring the deduction made in this respect was only 7 per cent., and was based entirely upon rates. In the Bill of the right hon. Member for Mid Lothian you had 20 per cent. reduction for every £100 of judicial rent, while in the present Bill you have only a reduction of 7 per cent., which makes a difference of £13 or £14 in the £100 in favour of the Bill of 1886, if you take the same number of years' purchase. I denounce this Bill as a sham, a delusion, and a dishonest settlement of the land question. I denounce it as a Bill for the benefit of a class. And I denounce it most of all as a bribe to obtain the consent of the ignorant peasants of Ireland to a robbery, not only of themselves, but of the taxpayers of this country. The hon. Member for Haddington said there were substantial farmers in Ireland. Thank Heaven there are, but what I ask is whether the credit of the country should be invoked for the improvement of the condition of men of capital and substance in Ireland? I hold in my hand a series of letters upon the operation of Lord Ashbourne's Act by the *Times* Commissioner. He says—

> "The first man I met was able to boast of holding farms under five landlords, 'some good

and some bad.' He was evidently a very substantial farmer, and had a fine lot of cattle. His holding on the Lane-Fox property was one of 140 acres, the old rent of which had been £155, reduced in 1883 to £147, and his annuity will be £102 per annum. Another man had formerly paid £105, but this had been reduced to £92, and he will now have to pay £60 a year for 49 years, which he considered 'a pretty fair bargain.' One of the next houses was as nice and well kept as any farmer's place in England. There was a small flower garden in front of the door, and the kitchen was as neat as if it had been a sitting-room. A set of old pewter plates and dishes, well polished, were ranged on the dresser, and there was not a speck of dust to be seen. The parlour was carpeted and well furnished. There was a bowl of flowers on the table, and excellent engravings of the Queen and Prince Albert hanging on the walls. The owner, who was evidently a most industrious and thriving man, held 74 acres, the old rent of which had been £85 reduced to £80. The value was £78, and the interest on his purchase money came to £56 a year."

There are dozens of such cases I could quote from this volume, but what I ask is, is it fair that in such cases the credit of the British taxpayer should be invoked? I am quite ready to apply in Ireland the same principles as are applied to allotments in England, and the object of providing allotments is to benefit those who are now crushed down in the social scale and who need the help of the Government in order to enable them to obtain a better position. That is one side of the question. We know that the Chief Secretary has excluded graziers from the Bill, but he has not attempted to exclude men in the condition so graphically described by the *Times* correspondent. Let me turn now to the congested districts, and I say at once I am heartily in sympathy with the motives of the Government; but I do not think they have set about the solution of the problem in the right way. I do not think it can be solved by the action of a Board in Dublin. I challenge the congested district part of the Bill on two grounds. In the first place, there is no real Local Authority brought in to superintend the transfer, and in the second place, the necessity I have insisted upon of a fair price tells, in regard to the congested districts, with infinitely greater force. Hon. Members talk glibly of so many years' purchase in the congested districts. So many years' purchase of what? Why, we know that the rent in these congested districts consists not only of the landlord's reasonable share in the produce of the land, but also of the share which, backed up by the forces of the law and the battering ram, he has forcibly embezzled from earnings of harvesters in England, the wages of housemaids in America, and the earnings of shepherd boys in distant parts of Ireland. We know the origin of these congested districts. Their first cause was political. The landlords found it convenient to have more tenants, because they wanted more voters, and therefore they divided the holdings. The next cause was the use which has been made by the Irish landlord of the potato. Sir James Caird said that the policy of the Irish landlords has been based upon the dependence of the Irish people upon the potato, and there was an article in the *Times* at the time of the great famine upon the same subject, which said—

> "It is one of the means by which the landlord exacts a rent wholly out of proportion, not indeed to the natural wealth of the soil, but to the capital invested upon it. In a country without capital, and without that security for life and for property which capital requires, the comforts and decencies of life pull against rent. Could the Irish live on the tops of their potatoes, they could then give the roots to their landlords."

The Government brought in a very good Bill last year—a Bill which I took great pleasure in supporting—the Housing of the Working Classes Bill. The principle of that Bill was that the owner of unhealthy buildings and unhealthy areas should not profit by his own negligence. Well, let the principle of that Bill be applied to the congested districts in Ireland. The landlords who own congested districts in Ireland should not be allowed to take money out of the pockets of the British taxpayer, because of their impolicy, indiscretion, cruelty, injustice, and extortion. But the Government, instead of making these men contribute to heal the festering sores which they have created, are going to hand over to them the remainder of the Irish Fund, the last asset of Ireland, which I contend belongs to the whole of Ireland, and is not for the benefit of men who deserve no consideration from the House, for in the development of a system of land purchase—a system which will enable them to capitalise their extortion from the tenants, not only of the results of the produce of their holdings, but the earnings of their friends in America. There is another consideration which seems to me to be again and again lost sight of. It is this: If you have Home Rule—and Home Rule you will have ere long—one of the important results will be that you will have a real national life in Ireland. [*Laughter.*] You mock at Irish national life, but Irish national life may laugh at you before long. You will have this result, that there will be a development of industries in various centres of Ireland, and you will consequently have migration from congested districts to the centres of new and various work. You will cease then to have competition for miserable holdings in the West of Ireland, and, therefore, the value of the land there will decrease. You have no sound economic basis on which to rest land purchase, and the Chancellor of the Exchequer admitted as much two years ago, when the second edition of the Ashbourne Act was before the House. There is no real security or value in the land, and if Home Rule is carried out, and fresh and various industries are started, you will soon be brought face to face with the bare agricultural value of the land, which is practically *nil*, and you will find that the money laid out upon it has been lost to the English people. Valuable suggestions have been made by those who are connected with the Land Commission in Ireland. The Chief Secretary has based his scheme on the suggestions of Mr. Lynch and Mr. McCarthy, but he has not carried them out in that spirit and scope with which they were laid before the Land Commissioners. I, for one, as a Radical in this House, am ready to support a policy of dealing vigorously with these congested districts, and I am not disinclined to see the Imperial credit applied to the relief of the poor people of these congested districts. But what we must look to as the only solution of the question is the handing over to the Local Authority, under, of course, Imperial checks, power to acquire the whole of the estates in these congested districts, at a fair price, and not the artificial price which coercion and the circumstances of Ireland have enabled the land lords to place upon the land. Let the Local Authorities acquire the land at a fair price; let them, and not the landlords, administer questions of bog and of turbary. Let the land be municipalised; let the Local Authorities have power to buy land in neighbouring districts, and to transfer such of the population as is desirable, in order to lighten the pressure in the congested districts. These are suggestions which, of course, are of no use to Her Majesty's Government. They are determined to refuse the formation of a Local Authority for this purpose. The Chief Secretary has talked about a *plébiscite*, and we have heard the further explanation of the hon. Member for South Tyrone, that a Local Authority is undesirable, because they are interested in the question of the land. I should think that is just the very reason why they should have the powers which I suggest. I conclude by protesting against this Bill, because in its inception and origin, and in its machinery, it is a Compensation Bill, and because it carries out a system of land purchase which involves risk to the English taxpayer, without ensuring at all to the Irish tenant a fair rent or his interest in his holding.

Mr. Channing

*(1.10.) SIR JOHN COLOMB (Bow, Tower Hamlets): Sir, the Bill before the House consists of two parts. One provides for a continuation of the policy already adopted by Parliament, and the other is to provide for something entirely new, and that is the practical remedies, the administrative machinery, and the money, to enable an effort to be made for the amelioration of the condition of the congested districts. I call the attention of the House to this fact, that while speakers on the other side have been going up and down the country picturing the gaunt figure of famine stalking through the land, the measure providing remedies for the difficulties of the congested districts has been delayed by an hon. Member moving the adjournment last night, and who does not even take the ordinary course of continuing the Debate himself next day. And the burning desire of the right hon. Gentleman the Member for Derby for further discussion is

evinced by his coming in after the Debate has been going on one hour and a half. The country and the people of Ireland will judge them. [*Cheers.*] The Gentlemen who cheer do not live in Ireland. I repeat, that the people of Ireland will recognise who are desirous of passing measures for their relief in the congested districts, and who desire to delay them. I venture to think that the speech of the hon. Member who has just sat down would never have been delivered if he had any practical knowledge of Ireland. But there was one remarkable passage on which I will touch. He said that he was certain that the question of the congested districts could not be settled by a Board sitting in Dublin. The hon. Gentleman will, therefore, concede this—that it cannot be settled by a Parliament sitting in Dublin. [Mr. CHANNING: Why not?] I leave the hon. Gentleman himself to explain. Turning now to the Amendment before the House, it is quite obvious that everything has been stuffed into it that may give rise to interminable debate. It makes the assertion that exceptional powers of eviction have been given to Irish landlords. I challenge hon. Gentlemen opposite to establish that assertion by reference to facts. If a comparison is made between the powers of the landlords in London and those of the Irish landlords, it will be found that the powers of the latter are restricted and restrained in a way those of the former are not. Then the Amendment speaks of the landlords' interest being maintained at an artificial value. What is the meaning of that? Is it that the Land Courts, created by the right hon. Gentleman the Member for Mid Lothian, are keeping up the value of the land in Ireland at an artificial standard? We know perfectly well that the judicial rents are fixed, after due inquiry, by these Courts, established by the right hon. Gentleman (Mr. Gladstone), and supported by the right hon. Gentleman (Sir W. Harcourt). It is rather strange proceeding on the part of the supporters of these right hon. Gentlemen to condemn the machinery which they created. Now, the Bill before the House is a small Bill compared with the proposal introduced by the right hon. Gentleman the Member for Mid Lothian in 1886. The amount of money is limited by financial considerations, while the proposal of 1886 was unlimited as regards financial responsibilities. We know that the only limit in the latter proposal was that the amount of money to be provided by the British taxpayer was to be drawn at the option of the Irish landlord. The right hon. Gentleman (Mr. Gladstone), in introducing the Bill of 1886, on the 16th April, said it was—

> "To undertake not a partial, tentative, and timid touching of the land question, but a serious endeavour to settle it."—(3 *Hansard*, Vol. 304, p. 1780.)

Again, he said—

> "The object of this Act is to give to all Irish landowners the option of being bought out on the terms of the Act."—(3 *Hansard*, Vol. 304, p. 1794.)

Again, he said—

> "The policy is a policy which is to be distinctly understood as the policy of giving this option to all Irish landowners as regards their rented land."—(3 *Hansard*, Vol. 304, p. 1794.)

Therefore, I do not think I overstate the case when I say that the financial responsibilities imposed upon the British taxpayer by the proposal of 1886 were only confined by the discretion of the Irish landlords. This Bill only provides £33,000,000 for converting tenants into owners; and I think it may be well to remind the House, in order to emphasise the statement respecting the Bill of the right hon. Gentleman (Mr. Gladstone), that the annual value of the land in Ireland is £14,000,000, and the aggregate value of the buildings £2,500,000. Even supposing every house was built by tenants, which it is not the case, you have £11,500,000 as the aggregate value of the land in Ireland. Therefore, if you multiply that by so many years' purchase, you get, under the proposal of 1886, into hundreds of millions to be saddled on the British taxpayer. It is important to remember that. But why are we considering the question of land purchase at all? It is because the land legislation of the last generation has been such as to get landlords and tenants in Ireland into a state of confusion, or hodge-podge. The only way out of the difficulty is to create new owners. That is admitted on all hands. [Mr. Caleb Wright: No.] Well, it is admitted by all thinking persons. I would like to remind hon. Gentlemen who controvert the statement, I would like to remind them that the hon. Member for Cork, in his celebrated Kilmainham letter, used these words—

> "It is unnecessary for me to dwell upon the enormous advantage to be derived from the full extension of the Purchase Clauses, which now seem practically to have been adopted by all parties."

["No!"] If Gentlemen say "No" to arguments in favour of the termination of dual ownership in Ireland, then their quarrel lies not with me, but with the hon. Member for Cork. I say that this Bill before the House is really a full extension of the purchasing clauses, restricted only by financial considerations, and the necessary securities for the money advanced. Turning from that, I agree entirely with what my right hon. Friend the Chief Secretary said last night, that this Bill is not going to terminate dual ownership in Ireland, but that it will make a large impression upon the present unsatisfactory condition of things arising out of dual ownership as it now exists in Ireland. I also endorse what the right hon. Gentleman said, that as time goes on it will be found that many tenants of Ireland will find themselves better under landlords than under the Land Commission. While there can be elasticity in relations between the landlords and their tenants, there can be no such elasticity between the tenants and the Land Commission. From experience I can entirely endorse that view. I have said to tenants that I wondered they did not go to the Land Commission to get their rents fixed, and they have replied that, if they did so, they would have to pay to the day. "Certainly. Why do you not purchase; perhaps that will meet your case?" The invariable answer I have received is—"We know we can squeeze the landlords; we cannot squeeze the Government." That is an obvious and practical way of looking at the matter. I wish to say that I do not believe that this is a final settlement of the Irish question. I do not believe there is any legislative solution for the difficulties which now exist in Ireland. I believe these difficulties are too deep for legislation to touch. No Parliament on College Green could do it. The Irish question can only be settled by the lapse of time, the education of the people, and improvement of the individual. But the Government is doing what is right in endeavouring to clear away obstacles to the free exercise of liberty and to strengthen the appreciation of the rights of property in Ireland, no matter to what class they belong. With regard to the question of local control, I am in entire sympathy with the right hon. Gentleman the Member for West Birmingham, but my practical experience teaches me that the attitude of the Chief Secretary on that point is correct. I think that a provision might be introduced into this Bill in a direction which I will indicate. I do not understand whether the labourers who hold allotments as tenants of Boards of Guardians are included in the Bill or not. I feel it very important that they should be so included. I do not see why a labourer is to be excluded simply because he is the tenant of a Board of Guardians, when so-called farmers, who are really labourers, are included. I hope the Government will consider this question and include those labourers, for I believe in that way you might get an expression of local opinion that would be valuable as to the operation of the Act. Supposing we made the operation of the Act in any county contingent upon the Unions of the county resolving to include their own tenants occupying labourers' cottages and allotments. In that way local authority would be invoked, and Boards of Guardians, in selling to their tenants, would not likely sell below the true value. I throw out the hint. I ask the House to note how very badly the farmer often treats the labourers of Ireland. I have often had to interfere between tenants and labourers in order to get even the commonest justice done to the labourers by the so-called farmer, and, knowing what I do of the labouring population of Ireland, I say that I have a higher opinion of them than I have of the farmers in respect of their capacity for work. I entreat the Chief Secretary to look into the question, and to see whether it is not possible to extend the operation of this Bill to labourers who, under the Labourers' Act, are tenants of Boards of Guardians. The attitude of farmers sitting on Boards of Guardians towards them is illustrated by something which appeared on the 8th of November last in the organ of the evicted Tipperary tenants, called *New Tipperary*. In this paper, under the head-line "Tipperary Union," is the description of the case of a labourer who, having been evicted by the Board of Guardians, had re-entered and taken forcible possession. The article says—

> "At a meeting of the Tipperary Board of Guardians the collector of rents reported that a labourer named Ryan who had been evicted at a cost of £6 had again taken possession of the cottage. The Clerk to the Board said that the Guardians should take action to prevent the repetition of such conduct. Some Guardians acquiesced, observing that if this were tolerated labourers would do what they liked, while other Guardians were indisposed to prosecute, and advocated a reduction in the rents of the labourers. Ultimately it was decided to prosecute Ryan for re-taking possession."

Thus an organ run in the interest of evicted farm tenants who did not choose to pay rent, although they were able to do so, declared that a labourer's attempt [to follow their example thus set must not be tolerated. I think that by calling in a Local Authority it would soon be discovered that tenants who represented ratepayers on Boards of Guardians would take a view of the value of land in the case of the labourers different from that which they have taken in their own case.

MR. PINKERTON (Galway): How many *ex officio* Guardians attended at that meeting quoted by the hon. and gallant Member?

*SIR J. COLOMB: I have read an extract from *New Tipperary*, and I have yet to learn that there are *ex officio* leading article writers on the staff of either that organ or of *United Ireland*. Our object ought to be to substitute a healthy opinion for that which has been produced by a falsely got up agitation. I am sorry to detain the House, but I wish to explain that I regard the congested districts clauses as the most important part of this Bill. Having lived long in a congested district I thank the Government for approaching this part of the question from a rational, common-sense, practical point of view. That has never before been done, and the state of things in these districts have usually been used as a lever to secure the reduction of rents of men occupying large tracts of splendid land in the Golden Vale of Tipperary. It is sometimes said that in these congested districts a large portion of the land has no real value as rent producing land. If that assertion be limited to agricultural land it is, no doubt, true that it has little or no economic value, but I say that the mountains and bogs have an economic value if it is only called out by wise legislation. A great portion of the congested districts is not adapted to ordinary agricultural purposes. In some districts there are tenants who are endeavouring to utilise large areas of mountain land as dairy farms that are fit only for sheep walks. All this land would be of great economic value if it were applied to the purpose for which Nature evidently intended it —say, for the growth of timber; but such a use of it is absolutely incompatible with the conditions of the Land Act. There may be quarries, mines, fisheries, and great capabilities for sport. As far as I can make out this Bill makes over to tenant purchasers rights for which as tenant they have never paid. For instance, take the ordinary condition of things in a congested district. You have the low-lying land let in small patches to tenants who have besides in common enormous mountain runs; but rights of timber, of mines, minerals, and sport are all reserved to the landlords. They are specially excluded in judicial rents, and yet they are to be transferred to purchasers. These rights are valuable, and they ought not to be thrown in as a make-weight. They are in a sense national property. I will explain what I mean by that. Everything that goes to create wealth is national property; the nation may distribute it among individuals in private ownership; nevertheless it is national property in the sense in which I use the term. There ought to be some arrangement made by which when the landlord sells the tenant shall have the option of purchasing, at so many years' purchase on a valuation, rights of timber, fishing, sporting, and mining; and if he does not so purchase, and the landlord who sells does not care to reserve for his own use these rights, I would have the rights made over to the Local Authority, the Local Authority paying the valuation to the landlord, which the tenant refused to pay. To that I attach considerable importance, because I say it is essential to the welfare of the congested districts that intelligence and knowledge of the outside world should not be entirely driven away, as they will be if rights and enjoyments which have hitherto been preserved to landlords are bartered away to the purchasing tenants for nothing at all. I therefore trust that these two points will attract the attention of the Irish Government, *i.e.*, first the inclusion in the Act of labourers who are tenants under Boards of Guardians, and secondly, the invoking the aid of the Local Authority in securing that the land, especially in the congested districts, is put to its natural uses. Whilst admitting that the Bill will not produce a final settlement in Ireland, I am thankful to the right hon. Gentleman for having introduced it, because I know there are many tenants who are looking forward anxiously for the passing of it; and the benefits of its operation, I believe, will extend to the people of this country.

(1.44.) SIR WILLIAM HARCOURT (Derby): I had no intention of trespassing on the attention of the House, and should not have done so had not the hon. and gallant Member pointedly attacked me for saying a word last night in favour of the Adjournment of the Debate. I only spoke then from the knowledge I had that there were several Gentlemen who desired to speak on the subject. Of all the instances of human depravity, can any compare with hostile criticism on the Adjournment of the Debate coming from the hon. and gallant Member, who wished to deliver the carefully prepared and valuable speech to which we have listened with the greatest interest? If I have in any manner contributed to providing an opportunity for the delivery of that

speech, I ought to receive thanks, if not from the hon. Member, at all events from the House itself. The hon. and gallant Member spoke with great personal knowledge on the subject, and I listened to his speech with great interest and, I may add, with considerable instruction. I only wish his own leaders had been present to see the illumination the hon. and gallant Member is capable of throwing upon the subject. I hope, therefore, that upon due consideration the hon. and gallant Member will think more charitably of what I did last night. I do not desire to detain the House, but I think the suggestion that I and others have sought to pursue the arts of obstruction is very ill founded on the course which has been adopted to-day, and, as I never refuse a challenge coming from an adequate quarter, I could not ignore that thrown out by the hon. and gallant Member. If I attempted to go into the subject under discussion at the present time, all I could say is that I do not agree with the hon. and gallant Member when he observes that all thinking men are against dual ownership, because a stronger argument for dual ownership has never been delivered than that of the hon. and gallant Gentleman himself, and I consider him a thinking man. He told the House the tenants do not want to do away with dual ownership; and some months ago there was a very strong letter from the Marquess of Waterford, who may be considered a thinking gentleman I suppose, and he said the best and most successful land tenure in Ireland was the old Ulster custom, which is pure dual ownership, and which existed long before the Act of 1870 and other Acts. Then the hon. and gallant Member for North Armagh has strongly expressed himself to the same effect, and therefore again I hope the hon. and gallant Gentleman will modify his view with reference to the opinion of thinking men on the subject of dual ownership. Another point in the speech of the hon. and gallant Gentleman which I listened to with some astonishment was his pronouncement on the Conservative doctrine of land nationalisation. That was worth hearing, and will afford food for reflection for all thinking men, because he holds that that which the tenant has no right to is the property of the nation. It is held by some eminent writers that all property is the property of the nation, but that is an important question on which I will not now enter, and the treatment of which depends not a little on its special application. I am not going into the very large matters which the hon. and gallant Gentleman thought fit to introduce into the Debate; I only rose to explain my interposition last night, which, if it has had no other fruit, has produced the speech of the hon. and gallant Gentleman.

(1.48.) COLONEL NOLAN (Galway, N.): I do not presume or pretend to represent the Irish Members in the few words I am about to address to the House. I only rise to point out a notable omission in the Bill. Now, in the congested districts part of the Bill there is a certain amount of provision for adding to the holdings of tenants. It is not a sufficient provision, in my opinion, but it might be readily re-modelled in Committee so as to make it work satisfactorily. By a short Act of Parliament, which was recently passed at my instigation, the Land Commission had power under certain peculiar circumstances to allow the tenants to purchase land in addition to their actual holdings, and that Act has received the highest commendation from the Land Commissioners, and has worked most advantageously in the few cases in which it has been applied. As the Bill now before the House is a very large Bill, I want the Government to deal with this matter on a more extended scale. What is the use of allowing a man to purchase three acres of land? It is not sufficient for the necessities of a family. If a man has half an acre of land he becomes a labourer or a carter; if he has 10 or 12 acres he can live on his holding and be a farmer. But with three acres of land he is neither one thing nor the other, and he consequently drifts into poverty. I want the Government to put into their Bill a provision by which these tenants may increase their holdings. Such a provision would be very beneficial to the landlords and would be of the greatest advantage to a large number of tenants. By enabling the small tenants thus to increase their holdings the Government would satisfy the cravings of the western portion of the country more than by any other provision contained in the Bill. I desire also to see some definition in the Bill of what is a congested district, because we want elasticity in dealing with those districts. There are portions of Connemara which are less under the influence of the congestion than parts of richer counties. There are districts where the holdings are large and the people able to live on them; but on the other hand in Galway, although the population generally may be sparse in particular districts, the people are crowded together, and the holdings are too small. The provisions of the Bill regarding seed potatoes may be excellent for another year, but they are useless for this year.

THE ATTORNEY GENERAL FOR IRELAND (Mr. MADDEN, Dublin University): Hear, hear!

COLONEL NOLAN: I am glad to elicit that expression of opinion from a Member of the Government, and I trust that some steps will be taken to afford the necessary relief this year.

*(1.58.) MR. SHAW LEFEVRE (Bradford, Central): The hon. and gallant Member for the Bow Division of Tower Hamlets commenced his speech by a statement showing that he was in the way of rapidly becoming a good Home Ruler, for he contended that no Member who did not live in Ireland had a right to speak on a purely Irish question. I am disposed to agree with him in that, but I submit that this is more of an English than an Irish question, for it involves English credit to a much larger extent, I believe, than the Bill purports to show. The hon. and gallant Member made an elaborate comparison between the proposals of the Government and the Bill of 1886 brought forward by the right hon. Gentleman the Member for Mid Lothian. He appeared desirous of making me responsible for that Bill. Now, I do not propose to enter into that comparison or to point out the important points in which the two Bills differ; but as far as I am personally concerned, I may say that nothing I said in 1886 is inconsistent with the position I now occupy. In 1886 I said that portions of the Bill

then before the House did not meet with my approval, and should the measure go into Committee I would raise those points. But turning to the Bill now under debate, it has been commended to the House as one which will effect a complete and final settlement, if not immediately, at any rate ultimately, of the land question in Ireland, as one which will ultimately do away with dual ownership, which will create a vast body of small peasant proprietors, and which will effect all this without any more than a mere theoretic danger to the English taxpayer. If I thought the Bill would be a complete and final settlement of the land question I would be very unwilling to oppose it; but I am confident that the Bill as now framed will not bring contentment to Ireland, but will lead to new agitation, will give rise to other difficulties, and will not be confined to the £30,000,000 of English credit which is now demanded. Even on the showing of the Chief Secretary, it will be necessary to advance £95,000,000 before the settlement will be complete. It is easy to show, moreover, that on the principle of the measure it will take about 100 years for the completion of the settlement and for the abolition of dual ownership, even on the assumption that all the landlords are willing to sell upon the reasonable terms which are contemplated. Meanwhile, there will be constant agitation and constant pressure, both on the landlords to agree to sales and on the State to advance more money. This measure is presented as a great remedial measure for Ireland founded on the advance of English money. A first principle of wise statesmanship is that a remedial measure should be accepted as such by the Representatives of the people for whom it is intended; but there is no evidence whatever that any large section of people in Ireland accept this measure in that spirit. The Representatives of the Irish people voted against the measure of last year, which was practically identical with that before the House, by a majority of four to one. There is no doubt that the Irish Members look upon the Bill with extreme suspicion, that they believe in many respects it is not in good faith, that the object of many of the clauses is to screw up the price of land in the interest of landlords. This year the Irish Party are unable to give attention to the Bill. Their attention is distracted by internal matters; but there is no evidence whatever of their acceptance of the scheme. Again, the tenant farmers in the North of Ulster have declared, through their Associations, that they will never be satisfied until this measure is made compulsory and universal. They say that it is very hard that those who have paid their rents with regularity should find themselves debarred from taking advantage of the Bill because their landlords refuse their consent, while those who have agitated and given their landlords great trouble will get the full advantage. They demand universally that where landlords refuse to consent to sell on reasonable terms they should be compelled to do so by the Land Commission at a price to be fixed by the Commission. Turning to the landlords, I do not find that there is any general support to the measure; those landlords who desire to remain in the country and to live with their tenants are strongly opposed to it. They know that it will give rise to an agitation against them, and to a demand for their expropriation. The people who are in favour of it are the great absentee landlords, who desire to clear out of the country, the great landlords like the Duke of Abercorn and Lord Waterford, who desire to reduce their estates in the country, and the English mortgagees who desire to realise their mortgages. As to the scheme of the Bill, I will assume that the measure as it stands will have every success which the Chief Secretary can expect; that within a very few years, say four or five, the whole of the sum will be applied for, and that tenants to that amount will be converted into owners on reasonable terms —namely, about 18 years' purchase. At 18 years' purchase those tenants will pay 28 per cent. less than their previous rents in the shape of interest and instalments. That is not, however, the full measure of the benefit. The annual repayment of capital is in the nature of an investment: it increases the interest of the owner, and is not to be compared with the same amount of rent. The real comparision is between the previous rent and that portion of the tenant's annual payment which represents interest. Looked at in this way the real reduction is 46 per cent., or nearly one-half. When, therefore, the £30,000,000 are exhausted there will be about 130,000 tenant-purchasers paying 28 per cent. less than their previous rent for a limited term, or enjoying an advantage equivalent to 46 per cent. on their previous rent; while the remaining three-fourths of the tenants will be paying their old rents for ever. The amount available for extending the scheme will be about £400,000 a year, and at that rate it will be 100 years before the remaining tenants can be dealt with. Is that a condition of things which is likely to be a settlement? Just in proportion as those who obtain this benefit are contented, so those who are left out in the cold will be discontented. The Chief Secretary has felt the strength of this argument and has endeavoured to lessen it. For five years he provides that the purchaser shall pay 80 per cent. of his previous rent. That is a mere blind. The tenant who pays this extra amount for the first five years will derive the advantage of a reduced payment later. The real comparison between the tenant who has bought and the tenant who remains a tenant is unaffected. The one will receive an advantage equal to 46 per cent. of his rent, or 28 per cent. for a term of years; the other will pay rent for ever. Suppose two estates adjoining one another where the tenants are equally anxious to buy on these terms. The landlord of the one consents, the other refuses. I ask whether the tenants who continue to pay their rent will be content? It is certain that an overwhelming and irresistible agitation will arise for making this scheme universal and compulsory; and if this House refuses to advance the further £90,000,000 necessary for the purpose, there will be an agitation for an equivalent reduction of rent. The fact is, we shall have created by these transactions a new standard of rent. No one has appreciated that prospect better than the hon. Member for South Tyrone (Mr. T. W. Russell), who supports the Bill with the full knowledge that such agitation must arise. This is what he said in an able article in one of the monthly reviews a few months ago—

> "The measure will introduce a new standard of rent. No Irish tenants will consent to pay more for the hire of their land than some of their neighbours are paying for their purchase. The present fair rents, which have been judicially fixed, will then appear so unfair that a new agitation will spring up, and such pressure will be brought to bear upon landlords that they will practically have no choice but to sell. One result of this will be that it will be impossible to stop lending when the limit of £33,000,000 has been reached, and it is well Parliament should understand that once it is committed to the principle of land purchase it must go on until the whole body of tenants is dealt with."

And again he said—

> "In my own constituency a large estate has recently passed from owner to occupier. The transaction has meant a reduction of 30 per cent. on the judicial rent, and a terminable annuity takes the place of an annual rent. The result is that every tenant in South Tyrone is discontented, and compulsory sale is demanded in every fair and market. The larger the transfer the greater the benefit, the more will the feeling spread."

I quite agree with the hon. Member. There will be a universal demand either for compulsion and expropriation of landlords at the average rates of sale and for an immediate further advance of £60,000,000, or for an equivalent reduction of rent. Let me illustrate the argument by specified cases. The House will be rather surprised to hear that the Land Purchase Commissioners have refused their assent to schemes of purchase in no less than 3,000 cases. In nearly the whole of these cases the Land Commissioners have refused their assent on the ground that the number of years' purchase agreed upon between landlord and tenant was too high in relation to the security offered to the State. I believe I am right in saying that in no single case of that kind have the terms of purchase been more than 18 or 19 years' purchase; in very many of the cases I am informed the number of years' purchase has been as low as 10 or 12. I actually know of one case where the terms of purchase were as low as five years. I ask the House to think what the result is in this case. The landlord and the tenants agreed to five years' purchase, and the Land Commissioners refused their assent to the transaction. The tenants then continued to pay the old rent. If the Land Commissioners had given their consent to the scheme of purchase, the tenants' payment would have been reduced to one-fifth of what was the previous rent. How is it possible that you can maintain the rents at their present rate in cases of that kind? In this case the tenants have already gone to the Land Commission and got judicial rents fixed, but you have one Government Department saying the rents are so high that there is practically no security to the State in case of purchase, and you have another Government Department maintaining the rents at their present rate. That is an unstable condition of things

*MR. MACARTNEY (Antrim, S.): Can the right hon. Gentleman state whether in the case he refers to the Purchase Commissioners based their refusal to agree to the purchase on the rent or the size of the holding?

*MR. SHAW LEFEVRE: On the rent. Of course, the holdings were very small; the rents averaged £4 or £5 a year. But that very much strengthens my argument. Here are tenants paying £4 or £5 a year, and if they could have got the assent of the Land Commissioners they would have had their annual payments reduced to one-fifth of what they previously were. There is one other point I wish to advert to, and that is the position towards the state of the tenant-purchasers under the Act. We have had a good deal of light thrown upon this relation by the events of the past few months. In previous discussions on this subject I have said that I do not expect that the tenant-purchasers will repudiate their obligations; the pressure will come from them in a more insidious form, grounded on inability to pay through the fall of prices, or other causes. That is what has happened during the last few months. There have been numerous Petitions and Memorials presented to the Land Commission by large bodies of purchasers praying for relief in various forms. The Chief Secretary has said that they are all of a stereotyped form, and are not worthy of attention. That is not the case. I have eight of them in my hand. The petitioners allege various causes for their applications, and they apply in various forms for remission. Some ask for remission on the ground that, by reason of a great fall of prices, they are unable to pay their instalments; others allege the failure of crops; many allege that they were coerced into terms of purchase by threats of eviction. This Petition from 17 tenant-purchasers in the County of Kerry is an illustration of the kind of pressure they will bring to bear. In this the petitioners say—

> "That on account of poverty, the fall in prices, and the potato famine, they are unable to meet the instalment due, and they therefore humbly request inquiry into their allegations, the truth of which they offer to support by documents; that they were compelled to purchase harassed by rack rent and writs of ejectment held over them. They had no option but to buy or leave their holdings. They pray for an extension of time and a reduction in the amount of the instalments."

This is an illustration of many cases of the same kind, varying in circumstances, but all based on the representation that they were coerced into the scheme of purchase by threats of eviction or otherwise. Hon. Members may have doubts if these representations are true; but unfortunately we have evidence from the Land Commission that threats have been used by landlords and their agents to force tenants into purchase. Mr. J. G. McCarthy, the head of the Land Commission, stated before the last Royal Commission that agents exercised pressure by telling a tenant that he must either sign a contract of sale or go out, and Mr. McCarthy said he had seen a letter of the kind, and had in his possession a letter from the agent of an extensive estate telling a tenant that he could not put off the Sheriff beyond the morrow, but that if he entered into a contract for purchase he would get possession. It is beyond doubt that there are cases in which such pressure has been used, cases in which tenants have been coerced into purchase by threats of eviction. I am not concerned with further inquiry into the truth of these statements. It is not necessary for my argument to go into the question whether these representations are founded upon truth or not, but they are very significant indications of the kind of pressure that will be brought to bear in the future. It may be easy for the Land Commission to intervene and prevent such cases where tenant-purchasers are not numerous; it may be possible to protect tenant-purchasers under such circumstances when they are few in number, but if, we multiply cases by hundreds—if, instead of there being 4,000 or 5,000 applications brought into Court there should be 150,000 and thousands more under renewed applications to Parliament for further advances, where will there be any force on the part of the Land Commission in Ireland or on the part of the Executive in Ireland under pressure of Petitions of this kind from all parts of the country, where will be the force to insist on prompt payments, or to evict those who do not pay their instalments? My conviction is, that it will be almost impossible for any Central State Department to insist on payment, or for County Courts to enforce evictions. I should have pointed out before that the kind of relief tenant-purchasers ask for is not so much reduction of the amount as a postponement of the instalments. What they ask for generally is either that the present instalment shall be postponed until after the whole term of 49 years is over, or that the term over which payment of the capital is spread may be extended to 60 or 99 years, making a very important reduction in the amount of the instalments. My belief is that the form in which pressure will come will not be by repudiation. I do not believe that, but in a demand for an extended period of payment from 49 to 99 years. When that comes from a vast body of tenant-purchasers, enforced very likely by political action in this House, I believe it will be extremely difficult, if not impossible, for a Central Department to resist the demand. Such a scheme can only be carried out with safety, with any prospect of collecting the annual amounts if the collection is made by a Local Authority interested to a large extent in collecting the money. The Chief Secretary told us last night that evictions would not be carried out by the Land Commission in the interest of the State, but of the Local Authority. But if the sympathies of the district are evoked on behalf of the tenant-purchasers, where will be the force on behalf of the Local Authority? I believe the Land Commission in the long run will find it most difficult, if not impossible, to insist on any very great scale in presence of pressure such as I have referred to, on the prompt payment of instalments, the faithful fulfilment year by year of these obligations, or in enforcing eviction of those who do not pay. I will not detain the House at any greater length; but it appears to me that a scheme of this kind, if it is to be carried out, must be coupled with many precautions and conditions. I began by saying that if I thought this was likely to give content and be a permanent settlement of the question, I would not oppose it. I have never been an opponent of some limited scheme in this direction, but there are certain conditions absolutely essential to make it more safe for the Imperial Exchequer and the taxpayer, and to create content throughout Ireland. The first condition is that the scheme shall be accepted by the majority of Irish Members as complete and final. Without this I believe any scheme would be dangerous. It must have popular assent elicited on its behalf. Secondly, the Local Authority ought to be the instrument for the collection of the annual payments, and responsible for the collection to act as a buffer between tenant-purchasers and the State. My opinion is, that the collection of the annual payments by any Central State Department would be dangerous, and would probably result in failure. Thirdly, in my opinion the operation of the measure ought to be confined to the small tenants of Ireland. The object of the Bill is to create peasant proprietors, but the Bill actually goes far beyond that. It will enable a class of persons far removed from the position of peasants to become proprietors—farmers holding 200 or 300 acres, and paying a rent of £250 a year. These are not the persons we are interested in converting into owners at great expense or great risk to Imperial credit. Fourthly, it ought to be so framed as to be complete and final within the limits it proposes, not giving rise to further agitation and discontent on the part of a number of persons left outside the operation of the scheme. These are the main conditions which ought to be fulfilled in any proposal of this kind, the main conditions which were fulfilled by the two proposals made last Session by the hon. Member for Cork. I will not further allude to them, except to point out that there was an opportunity at that time for the Government to come to an agreement with the Irish Party on the subject, and I believe if they had accepted either of the proposals made by the hon. Member for Cork they could have framed a scheme likely to give contentment to Ireland, and not open to the many objections which have been pointed out in the present measure. But their scheme is so large and is so certain to lead to further demands, is so certain to give rise to discontent among large classes in Ireland, that I cannot give it my support. It will be attended with the greatest possible danger to the British taxpayer, and in no sense will it be a settlement of the question. On the contrary, far from it being anything of the kind, it will lead to greater agitation and give rise to feelings of discontent among a very large body of tenants in Ireland, who will be unable to avail themselves of the privileges offered by this Bill. Hence it is I shall vote against the Second Reading.

(2.42.) MR. SINCLAIR (Falkirk, &c.): This Debate has been made the opportunity of trotting out a number of fallacies we thought had been disposed of long ago. In this direction no speaker has distinguished himself more than the right hon. Gentleman who has just spoken. In the first place, he says we are setting up a new standard of rent in Ireland; while the fact is, rent has really nothing to do with the subject in hand. The payments to be made by the tenant are payments by instalments of principal and interest, and not rent at all. That fallacy underlies the whole of his argument, and a great many other arguments which have been addressed to us by other and more important debaters. The right hon. Gentleman further said that in certain cases—and he dwelt on the fact—advances had been refused by the Land Commissioners, and that he had little doubt that this was because of the number of years' purchase in the proposals submitted to them. The fact of the matter is, the Land Purchase Commissioners have to look not at the number of years' purchase or existing rents, but at the total amount submitted to them and the sum to be advanced by the State for the purpose of enabling tenants to become owners of the property they occupy. The exposition of this

fallacy completely removes one of the arguments of the right hon. Gentleman and one of his objections to the Bill. But he is not the only one who has argued under delusion. The Senior Member for Northampton (Mr. Labouchere) and also the right hon. Gentleman the Member for Mid Lothian have given other instances of fallacious arguments disposed of long ago. We who are Unionist Members had no part in the pledges given against land purchase. That certainly is so, as far as I am individually concerned.

MR. W. E. GLADSTONE (Edinburgh, Mid Lothian): Against a guarantee. I never said against land purchase.

MR. SINCLAIR: Against a guarantee; I will put it in that form.

MR. W. E. GLADSTONE: Put it in that form if you like, it is a totally different policy.

MR. SINCLAIR: I, for one, quite admit the fact that land purchase on an extended scale cannot be adopted without some form of guarantee, Irish or British. Individually, I have invariably supported land purchase based on a British guarantee. The objection we held at the time of the General Election of 1886 was not to land purchase based on a British guarantee, but to the particular form of land purchase then put forward in the scheme of the right hon. Gentleman, then Prime Minister, and coupled as it was with the scheme of Home Rule for Ireland. In the first place, it was compulsory, and therefore the amount under the Bill one might be justified in saying was practically unlimited. Then, again, it seemed unequal and unfair because, though not universally, it was based on 20 years' purchase of the rents, rents in many cases since reduced by the Land Court. Then the security was considered bad, for it was a second mortgage.

MR. W. E. GLADSTONE: A first claim on the farm.

MR. SINCLAIR: I think the expenses, local and executive, were to be the first claim.

MR. W. E. GLADSTONE: No.

MR. SINCLAIR: Well, if I am wrong I apologise for using the argument. The principle of the Bill is an endeavour to transfer the property of the landlord to the occupying tenant, and, in the opinion of those who have the welfare of the country at heart, in that transfer lies the hope of a solution of a great deal of the difficulty that exists in Ireland. The security under this Bill and under the Ashbourne Act is ample — first, the land itself, not only the landlord's interest in it, but the tenant's interest, and then the 30 per cent. of the amount which is ultimately to be given to the landlord. Then we have 1 per cent. every year and the interest on each payment added year by year, an increasing security on behalf of the State. I do not think I ought to detain the House by going in detail into the advantages of land purchase; they are very great and have often been referred to in former Debates. I have already stated that one of the fallacies underlying much of the arguments of the opponents of this measure is on the question of rent. Now, one of the advantages of this scheme of land purchase is that it can be applied where a holding is rack-rented, or where the rent is fair and reasonable, simply by varying the years' purchase. Take two identical farms, one fairly rented at £15 a year, the other highly rented at £20. By simply in the one case arranging for the purchase of the farm at 20 years where it is fairly rented, and at 15 years in the other case, you in each case get identically the same sum of £300. The Commissioners, it must be remembered, will have simply to consider the amount to be advanced, not the way in which it has been arrived at. This entirely disposes of the argument of the hon. Member for Northampton, who says it cannot be supposed that the Irish tenant will be more reconciled to the payment of rent when the landlord is an alien Government in England. The English Government will not be the landlord, but will simply advance money on good security to the occupiers for repayment under the favourable terms of the Ashbourne Act and this Act. The benefit is not to the landlord only. Though this has been called a Landlords' Bill, it is far more a Tenants' Bill, and that is the reason why over the length and breadth of Ireland this land purchase scheme is loudly called for. The only real justification for the intervention of the State in matters of this kind is the part the State has taken in the past in creating the present difficult situation, and in its recognition by unfair laws in the past of the power of the landlord to charge rent on the improvements of the tenant, and the necessity that now exists for getting away from the present unhappy state of affairs and changing the system of land tenure by these advances to promote land purchase. We have satisfactory experience of the working of land purchase under these conditions so far as it has been in operation. Last year the Chief Secretary furnished me with certain statistics which give very favourable evidence on the subject. On 31st October last year, instalments to the amount of £235,000 had become due since the Land Purchase Acts had been in operation, and of this amount there was £2,590 still outstanding. Of that amount how much is there still outstanding in the shape of arrears? Out of nearly £3,000 there is only £216 owing. We have had two half years in which instalments have become due since, and out of a total of £410,000 instalments due on November 1st, according to the information given by the Chief Secretary the other day, the arrears are only £2,554. Here is evidence that the tenants of Ireland appreciate the advantage of land purchase by the payment of these instalments, and I may fairly say there is every encouragement to the Government to proceed further in the direction of land purchase. As was well stated by my hon. Friend the Member for South Tyrone (Mr. T. W. Russell) last night, we have had experience of purchases under the Ashbourne Act, under the Bright Clauses of the Land Act, and under the Church Act, and in the different circumstances under which they purchased the manner in which the tenants have kept up their payments gives every encouragement to proceed by further legislation in the same direction. There is, however, one danger in the Bill, I think, which it would be well for us to guard against. I have always felt that the only valid objection to the Ashbourne Act lay in the fact that it was possible to allow the tenant to pay too much for the landlord's interest, and practically to buy some of his own improvements in buying the landlord's share in the holding. I put an Amendment on the Paper last Session dealing with this subject. I proposed to cast on the Land Commission the duty not only of estimating the total value of the holding to see there is security for the advance, but the further duty of estimating the value of the landlord's and tenant's interests respectively, to enable the real and ostensible object of the Bill to be carried out, the purchase by the occupying tenant of the landlord's interest in the holding. It is not possible to judge from the examination I have been able to give to the Bill now before us, how far the Government have endeavoured to meet this valid objection to last year's Bill, but I trust when we see the second part that we shall find the suggestion has been adopted by the Government, or the difficulty in some way met. Then it has been stated there is danger in raising the limit of £50 for purchase under the Bill. Now, I think that a modification of the assistance to be given under this Bill might very fairly be considered. We had a very admirable speech from the hon. Member for Carnarvon yesterday, dealing with the danger that may exist in the creation of a new class of landlords in Ireland, worse than the old, and, certainly, such a danger would arise if the purchasers of large farms were allowed such a large margin as to enable them to sublet at a profit. It seems to me that while the Government may fairly ask the occupying tenants of farms of £30 or thereabouts to re-pay the principal at the rate of 1 per cent., where the value is more than £30 they may fairly ask an increased percentage. I would suggest that where the value is between £30 and £50 per annum the farmers should be required to pay at the rate of 4½ per cent.—3 per cent. for interest and 1½ per cent. for principal—

and that where the value is over £50, 5 per cent. should be required, that is to say 3 per cent. for interest and 2 per cent. for principal. This, I think, would operate largely in favour of small tenants. If I were asked to find a reason why this Land Purchase Bill, or one like it, should be passed into law, I would go no farther than the speech made in Ireland by the hon. Member for Longford against the Bill. He used these remarkable words, advising the tenants against Land Purchase—

> "Therefore, until a great Treaty of Peace has been made between England and Ireland, no Irish farmer ought to make a Treaty of Peace on his own account, and the man who purchases under the Ashbourne Act is making a Treaty of Peace behind the backs of the nation as a whole."

It is because I believe that the individual farmer, throughout the length and breadth of Ireland, is making a Treaty of Peace on his own account with the English people and the English nation, and that it will, thereby, assist in the restoration of peace and tranquillity to the nation at large, as well as bring additional happiness to himself and in his home, that I urge the passing of this Bill into law at the earliest possible moment. (3.5.)

(3.29.) **Mr. JOICEY** (Durham, Chester-le-Street): I must express my surprise that this Bill, which, in my opinion, contains such a dangerous principle, has not met with stronger opposition in this House. I am very much surprised, too, that the Front Opposition Bench has not offered a stronger opposition to it. I have listened to the arguments which have been addressed to the House, since the Second Reading Debate began, most carefully, and I must say that in none of them have I seen anything to justify me in supporting the Bill. The hon. and gallant Member for Bow, who addressed the House a short time ago, stated that the Bill consisted of two parts—the land purchase portion, and the congested districts portion. But, for the purposes of this Second Reading Debate, we have to consider the Bill as a whole.

I confess that if the Bill had been introduced in two parts, I should not have offered very strong opposition to that part which deals with the congested districts. I recognise that there are difficulties in Ireland which require to be dealt with by Her Majesty's Government, and if that part of the Bill had been brought in as a separate measure, I would have given the Government the best assistance in my power to enable them to deal with these difficulties in a satisfactory manner. The hon. and gallant Member for Bow told us that, on comparing the measure with that which was introduced by the right hon. Gentleman the Member for Mid Lothian (Mr. W. E. Gladstone), he regarded the present Bill as only a little one. I must say that that is an argument which does not have much weight with me. This is the third time a measure has been introduced for the extension of the right hon. Gentleman's measure. One measure that was introduced and passed is now known as Lord Ashbourne's Act, and in that we are asked to assent to an expenditure of £5,000,000. That Act was found in its operation to be insufficient, and a second measure was asked for, with the result that we now find ourselves called upon to increase the sum formerly agreed upon by something like £33,000,000. The hon. and gallant Gentleman the Member for Bow has stated that this Bill would not terminate dual ownership in Ireland, but that it will nevertheless make a large impression upon it. The meaning I gather from those words is nothing short of this, that the expenditure of a further sum of £33,000,000 will not be sufficient, but that the time will come when we shall be obliged to give a further sum, if we are to carry out this policy to its ultimate end. The right hon. Gentleman the Chief Secretary said last night that, in his opinion, it will require £95,000,000 to carry this land purchase scheme to its full extent; but the right hon. Gentleman very carefully guarded that expression of opinion by saying he had to confess that it was very difficult to make an accurate estimate. For my part I quite agree with what he has stated, and in my opinion £95,000,000 will no more settle the Irish land question than the £33,000,000 for which the Bill provides. In point of fact, the amount that will be required is practically only limited by the willingness of the landlords of Ireland to part with their property. The hon. and gallant Gentleman the Member for Bow pointed out that the Irish tenants were receiving various rights for which they were not called on to pay. Now, Sir, I take issue with the hon. and gallant Gentleman on that statement. I cannot believe that anything in the shape of timber or minerals is not taken into consideration by the landlord if he means to part with his property for so many years' purchase, and I do not agree with the hon. and gallant Gentleman in saying that anything which is on the property, and which is not paid for by the tenant, should become the property of the State. I am altogether opposed to that view of the question, and I must say that I think it a very dangerous thing, particularly for a Conservative politician, to advocate such a view as that. I must certainly express my surprise at the change of policy on the part of Her Majesty's Government on this question. I think if we were to look at the election addresses of hon. Members opposite, delivered on the occasion of the last General Election, we should find that, almost without exception, they declare themselves opposed to what is the main principle of this Bill. I was amused at the attempt made by the right hon. Gentleman the Member for West Birmingham (Mr. Chamberlain) to give a reason for the support he is offering to this measure. When we are dealing with a Gentleman like him, who has again and again accused those who sit on these benches of having changed their minds in regard to the question of Home

Rule, I think I am entitled to say that he ought to be most particular in seeing that he has a good reason to put forward for having changed his mind on a question of this sort. Only the other day my attention was drawn to a speech delivered by the right hon. Gentleman on the 13th October, 1887, at Coolgraney, on the Irish land question, and I will trouble the House with a brief quotation from that address. The right hon. Gentleman said—

> "The question, therefore, is how to establish a fair value for the transfer that all agree ought to be made. I do not believe you can lay down a number of years' purchase of judicial rent, whether it be 20 or any other number, which would be fair under all circumstances and in all cases, or which would be universally adopted. I should think the first condition of any settlement of this business would be that there should be a new and independent valuation for the purposes of purchase."

I think that this statement shows very clearly that the right hon. Gentleman does not consider that the judicial rents are fair rents upon which to base the purchase of land in Ireland. The right hon. Gentleman goes on to say—

> "This separate valuation for the purpose of purchase alone is the foundation on which any transfer of the ownership of land can take place."

I trust that if the colleague of the right hon. Gentleman who sits below me (Mr. Jesse Collings) intends to address the House he will be able to give some satisfactory explanation of the reason why the right hon. Gentleman now undertakes to support the Government on an important measure of this kind, when in 1887 he distinctly laid down the proposition that the foundation on which the transfer of the ownership of land could alone take place was a separate and independent valuation. As it now stands I think I may claim the right hon. Gentleman as one who agrees with us that the basis on which these purchases are to be made is not a fair basis. I cannot think that the tenants are allowed a free hand in this matter. I quite agree with what has been said by the right hon. Gentleman the Member for Mid Lothian, that the tenant is threatened with purchase or eviction. It is as if a pistol were held at his head with a demand for his money or his life; for I think that to many of the Irish tenants to be forced to leave their homes is as bad as the loss of their lives. I may state that I am one of those who voted against the Ashbourne Act. I believe the principle of that Act is a wrong principle, and certainly if any opposition to the passage of an Act of Parliament was justified, I think the opposition to that Act has been justified by the Bill now brought in by Her Majesty's Government. At the time the Ashbourne Act was before Parliament it was pointed out to the Government that they could not stop at £5,000,000, but that of necessity circumstances would arise to compel them to increase the amount. To illustrate my point I would say it is just as if a waggon were placed on the top of a steep incline where a very slight push would be required to start it; but when once it was started it would accumulate force as it descended, so that it would be impossible to say what disaster it might not ultimately cause. I oppose this Bill on principle. I look on the measure in pretty much the same light as I should regard that waggon. We cannot see or estimate the disasters it will cause. At the present moment our vision is obscured by the advantages it offers; but I, for one, feel assured that time will show that the advantages are very small in comparison with the mischief that will be brought about. I maintain that even those who were in favour of the Ashbourne Act are not justified in supporting this measure. We have not as yet, it is true, sufficient experience of the working of that Act; the time has been too short. We have seen statements to the effect that in some cases tenants who had purchased under that Act had begun to complain that the farms they had purchased were too highly valued. We do not know exactly to what extent rents have fallen, and we cannot tell whether there may not be a greater fall of rents than has already taken place. Another question is, what capital will the tenants have to fall back upon? If this Bill is to be justified at all, the purchasing tenants will be mostly those who have little or no capital, and the only way in which they can be kept going is by a reduction of their annual instalments. But there is another important point in connection with this measure which I will endeavour to put before the House. We all know that rent is a fluctuating thing, and that it is affected by the fluctuations in the value of the land which the rent represents. If heavier rates are put upon the land than the tenant can meet, those rates ultimately fall on the landlord, because of the inability of the tenant to pay. Now, I object to this measure, because I hold that in it we shall be practically stereotyping the rent upon the holding for another 50 years, and if there should in the interval be an increase of rates, as I have no doubt there will be, for we must look forward to the time when Ireland will have control over her own affairs, when many improvements will be wanted and undertaken, and money will be needed to carry them out, the result will be disastrous to the tenants purchasing under this Bill. Indeed, it must be obvious that whether under a local Parliament dealing with the whole of Ireland, or whether under a system of county government, it will be found absolutely necessary to increase the rates in that country. What, then, is the position of the purchasing tenant? At present he can appeal to the landlord, and in many cases he does get a reduction of rent, and therefore the rates practically fall on the landlord; but those who purchase their holdings under this Bill will be prohibited from that. The whole of the rates and taxes, whether for educational purposes, for which at present I believe no rate exists in Ireland, or for improvements that may be required, will fall on the purchasing tenant, while for the next 50 years the rent is practically prevented by this measure from undergoing any modification. I have said that I have seen nothing that can justify this Bill. The right hon. Gentleman the Chief Secretary boasted not long ago that Ireland was quiet, and hon. Gentlemen opposite have made it one of their platform utterances throughout the country that the policy of Her Majesty's Government has been successful, and that Ireland is in a calm and peaceful state. If this be so, what is the need of this Bill? Surely there is nothing in the condition of Ireland to call for exceptional legislation, and I maintain that you have no right to take the public money to enable any class of tenants to purchase their holdings unless you can show that they are in a condition which absolutely requires it. If you will look at the purchases that have been made under the Ashbourne Act it will be found that a large number have been effected by tenants well able to pay their rents, and for whose assistance the Government have no right to advance money from the Treasury Funds. The Government have made it somewhat difficult properly to oppose this measure owing to the small amount of information they have furnished on the subject. Before you advance State money to enable any class of men to purchase their holdings you are bound to show that there is an absolute necessity for it, and in this case I say that that has not been done. Admitting that there is a difficulty in getting rents in Ireland, that is only the case in regard to a very small area, and I ask the House why should we be called on to advance money to every leaseholder in London to enable him to purchase his holding, or to every tenant in Wales for the same purpose, or to the artisans throughout the country for the purchase of the works in which they are employed? I say it is a monstrous thing for the Government to bring forward a scheme of this kind to enable well-to-do tenantry to purchase their holdings at the expense of the State. Another point I desire to put before the House is that this scheme contains practically all the dangers of the nationalisation of land without any of its advantages. We are to enable a large number of tenants to purchase their holdings whereby they will become tenants of the State. We who do not believe in land nationalisation hold as one of the greatest objections to such a system that in this case, instead of the State having any of the benefits of land nationalisation, it will simply be advancing money for the purpose of enabling one class of landlords to succeed another class. The trifling advantage accruing to the small area in which there is any difficulty in the collection of rents is a mere nothing compared with the immense amount of money the Government are asking the country to advance without, as I contend, any justification. Before any such advance is conceded the Government ought to show that a corresponding advantage will accrue to the State; but in this case there can be little or no benefit to the State. In the case of what is termed nationalisation the State would get the full value of the land; but here the State gets nothing whatever. The right hon. Gentleman the Member for West Birmingham last night asserted that there was comparatively no risk in the matter, and he made a comparison as between the credit of the State and a £5 note of the Bank of England. I should like to ask the right hon. Gentleman whether he would prefer to have his money in the hands of the Irish peasantry or in the Bank of England? I think I know what his answer would be, and that is that he would prefer the Bank of England. How are we to get the money back? The hon. Member below me (Mr. Jesse Collings) says we have got it in our pocket. I cannot agree with him. If we advance the money how can we have it in our pocket? If the money is raised on the credit of the land, the land may depreciate in value, and if the instalments are not paid there is very considerable risk. The right hon. Gentleman has recommended the Government to insert in the Bill a clause providing for control by the Local Authorities. I am surprised to hear him recommending that, when he knows that one of the chief arguments against a Local Government scheme, which Her Majesty's present Government have promised to give to Ireland, but which they apparently dare not propose, has been the argument used by hon. Members on the opposite side of the House, that every Local Authority which might be set up would simply mean an additional tool for obtaining Home Rule. But the right hon. Gentleman says that the Local Authority will act as a buffer between the State and the tenant. Now, what is the nature of a buffer? As I understand it it is something that yields to pressure. Does he intend that the Local Authority is to yield to the pressure that may be put upon it? If so, I can hardly think he would recommend it. This being the case what becomes of the right hon. Gentleman's argument that there is no risk? On the whole I think that the more we consider the details of this Bill, and the recommendations of those who support it, the more dangerous does it appear. I am not one of those who are anxious to get the landlords out of Ireland. I think that in Ireland the majority of the landlords will bear comparison with those of any other portion of the kingdom. Many of them deserve well of their country. They are not all bad, and we know that there are many who do much good in the districts in which they live. I regard this Bill as a measure for the wholesale expulsion of the landlords. I think the public safety is better ensured when the community is composed of different classes, and I will support no scheme that will practically tend to the expulsion of the landlords from Ireland for the next 50 years. One of the reasons why I urge the views I have expressed is that I think the measure would prejudice the Home Rule scheme. If there is to be, as no doubt there will be, a Home Rule Parliament, it ought to be able to deal, more than with any other question that can be suggested, with the subject of the land; for if there is a vital question in Ireland it is the land question, and for my part I will be no party to any land purchase scheme that will practically remove the consideration of this question from an Irish Parliament. I am not one of those who think that in the event of an Irish Parliament being conceded the landlords will flee the country. I think that when they find they have their own interests to protect they will protect them, while the tenants will also protect theirs. It is in keeping the different sections of the community together that we shall find the general safety. I regard the whole scheme of this Bill as unfair to the United Kingdom. If you are just to Ireland you cannot stop at £33,000,000, and I cannot see where you would be able to stop. It is unfair to ask this House to sanction a scheme that will enable only one section of the community to purchase their holdings. There are many industries in this country, in some of which a large number of men are employed, that have been obliged to stop for want of capital, and I say we should be as much justified in advancing money in such cases as in the case of the

Irish tenants. For my part I do not see why the miners of the County of Durham should be prevented from applying for an advance to enable them to purchase the collieries in which they work, if the principle of this Bill is to be sanctioned. Indeed, I fail to see where we are to stop if we allow this measure to pass. Are you prepared to advance money to the Welsh tenants and Scotch crofters to enable them to buy their holdings? Unless you are you have no right to advance money in the way you propose to do in Ireland. But, Sir, one of my strongest reasons for the opposition I offer to the Bill is that Her Majesty's Government came into office chiefly through their opposition to two measures: one being the Home Rule scheme of the right hon. Gentleman the Member for Mid Lothian, and the other the land purchase scheme. I know which of the two was made the most of in the country. My own district was inundated with pamphlets asserting that we were going to give 150 or 200 millions of cash to Ireland. That was one of the chief subjects on which all the Conservative candidates dilated in my district, and what was the case there I feel assured was the case throughout the country. I maintain, therefore, that Her Majesty's Government will be committing a breach of confidence if they pass this measure. They had no mandate from the country to do it, and I, for one—recognising that the advances would not stop at £93,000,000, the figures stated by the Chief Secretary, nor even at £153,000,000, because if you are to be just, and you advance sufficient to buy the property of a certain number of landlords, you cannot in equity refuse to do the same in the case of the others—I shall oppose this measure with all my power, contending, as I do, that the Government have no right to ask the House to pass a Bill which I maintain really means an advance of at least £100,000,000, without having previously appealed to the sense and feeling of the country.

(4.0.) MR. JESSE COLLINGS (Birmingham, Bordesley): The speech we have just heard is one directed against State - aided land purchase of every description and under any circumstances, and I must commend that speech, which was so loudly cheered from hon. Members below the Gangway on this side of the House, to the labouring population of this country. My hon. Friend said that one of his objections to this system of purchase was that the rent at once became stereotyped. But stereotyped rent is a principle in all such purchase, and therefore to object to such a rent is to object to all land purchase. The hon. Member says he can see no difference between the State-aided purchase of land and the purchase of other undertakings; but on this point I would refer the hon. Member to the practice of almost every civilised country which has had to deal with the tenure of land either by revolutionary or by constitutional methods, such as are now proposed by the Government. The security of the British taxpayer under this Bill has never been questioned by any speakers in this Debate. The subject of a Local Authority interposing has been raised, but this fact has never been disputed: that the £33,000,000 which is to operate under the Government scheme is simply the capitalisation of money over which the Government have absolute control—which they have, in fact, got in their own pockets.

MR. WINTERBOTHAM (Gloucester, Cirencester): Does the hon. Member really mean to say——

MR. DEPUTY SPEAKER: Order, order!

MR. JESSE COLLINGS: I mean to say that for every penny of indebtedness, or credit, or liability, or whatever you like to call it, which the British taxpayer will incur, he will have its equivalent under his own control. Hon. Members may, if they can, dispute the fact that the £33,000,000 is simply the capitalisation of subventions, or money to be paid, which moneys are under the absolute control of the Government of the day. And, be it remembered, that is only one of the securities offered, although it is enough, it is absolute, and cannot be questioned. At the same time, there are collateral securities which strengthen the case of the Government. Now, the right hon. Gentleman the Member for Bradford stated that this was an English question, and I agree with him for reasons which I will state directly. But he went on to say that he believed the repudiation of which we have heard so much would not take place; that there was no danger of it unless political pressure is exercised on the tenants; any arrangement, of course, must be subject to the action of those who, if they choose, can exercise political pressure. I think the right hon. Gentleman was rather unfortunate in anticipating that the only danger of repudiation was not from inability to pay the instalments, but from political pressure being put on the tenants not to pay. An hon. Member near me says danger may arise from both sources. Then I tell him it is contemplating a most dishonest proceeding on the part of those who are able to exercise that political pressure. I do not belong to the new-fangled Radicalism of those hon. Members who oppose the Bill. I prefer the constructive Radicalism of Cobden, Bright, and Fawcett, who have achieved something to that of hon. Members who have accomplished nothing. Those who to-morrow read the speech of the right hon. Gentleman the Member for Bradford will come to the conclusion that his complaint against the Bill is that it does not provide for the outlay of £95,000,000 instead of £33,000,000. He said he was confident of this thing and certain of that, but he adduced no proof of anything, and the only point he amplified was that £33,000,000 would be insufficient. Hence his difficulty. All those who have addressed the House against the Bill have spoken of it as merely a question between landlord and tenant. I say that it is not merely a question between landlord and tenant that is at issue. The benefit derived by either is merely incidental, and the great purpose for which the Bill is proposed is the public good. That is our only warrant for dealing with this question, as speakers and writers, both in the past and in the present, have always represented the land question as the difficulty in Ireland. I go further, and say that if that question is settled on a satisfactory basis, Home Rule will not survive, at any rate in its present proportions, and, therefore, the Government have every justification for the proposals they are making. If the history of the magnificent land legislation in Prussia, which begun in 1807, is read, it will be found that the result of that legislation, which was similar in its lines to the Bill now before the House, has been to reconcile sections of the community who had long been discontented, and to bring them into the ranks of the law-abiding. The Chief Secretary has reason to be extremely contented with the Debate which has taken place, for if the speeches of objectors are placed side by side, they will be found to answer each other. One speaker declared that the instalments are so high that the tenants must repudiate, while the next declared them to be so low that the tenants who are kept out will have a grievance. Again, one speaker asserts that purchasers will have a grievance, and another declares that non-purchasers will have such a grievance as will almost justify them in revolting, and so you may go on. One speaker declaimed against the severity of Irish landlordism, while another occupies himself with the glorification of Irish landlordism. Thus do hon. Members destroy one another's arguments. I was amused to see how lightly the question of repudiation was touched upon on the Home Rule Benches; it has been spoken of as if it were positively of no account whatever. But I should like to remark on that question that the argument of repudiation has been advanced by some speakers in face of the fact that the Irish have been among the best and most punctual ratepayers in the whole world. They have, as my hon. Friend the Member for South Tyrone pointed out, fulfilled their pecuniary engagements under very difficult circumstances, and in places where the Plan of Campaign has been in force, have paid rents in the dead of night, well knowing that if the act were known they might be subjected to outrage and even death, and yet the right hon. Gentleman the Member for Bradford speaks coolly of the exercise of political pressure. We have been told to-da that this Bill is a bribe to ignorant tenants in Ireland for the benefit of the landlords. What did the Front Opposition Bench think of that, seeing that their proposals in 1886 were of a compulsory character, and would have handed the tenant bound hand and foot over to the landlord? The landlords under the Bill had only to declare their intention to sell when the tenant was obliged to buy at a high price, whether or not he was willing to do so—at prices which have since been declared to be 20, 30, and even 50 per cent. too high. Again it has been suggested that under the Bill the British taxpayer will become an Irish landlord, and that he will have to collect the rents. Neither of those statements is true. The tenant as soon as he agrees to purchase the holding becomes the landlord, subject only to the payment of the annual instalments, which are not rent at all. I am glad that the Government have taken out the 20 years' purchase which appeared in the last Bill, for, though no fair-minded man could misunderstand the proposal, it provided a peg on which any amount of misrepresentation might be hung. One more point and I have done. One Party has constantly opposed this Bill, and that is the Party represented by the hon. and senior Member for Northampton, by the hon. Member for the Cirencester Division, and by my hon. Friend who last spoke. Those Gentlemen oppose land purchase under any circumstances. I understood the hon. Member for the Cirencester Division to say that in his election address in 1886 he stated that he was opposed to land purchase. I had hoped he had altered his mind about that, as he has since changed his attitude on the Home Rule question. I take it that the issue raised by these hon. Members is really the one we are about to divide upon. Liberal Unionists have never opposed the principle of land purchase or the pledging of British credit for the purpose of purchase. What they have opposed is the monstrous proposition that Great Britain should undertake an enormous liability for a country which is immediately to be placed in the position of Canada or of a foreign State. The hon. Member for Cirencester based his objection to the Bill also on the ground that that might be used to dispossess the landlord in Ireland, but if the rural population in either England or Ireland are to have a closer connection with the land the present owners must be dispossessed. I take it that my hon. Friend does not favour confiscation. I recommend his views to the consideration of the agricultural population. He has figured on many occasions as the friend of the labourer, but I fear he is rather giving himself away in his opposition to the principle of land purchase, without the adoption of which the vivid hopes of the rural population of this country must be disappointed. The hon. Member for Caithness wishes that the scheme may be so arranged that the County Councils shall have the land and let it at perpetual rents to the cultivators. I hope that those lines will be adopted in any legislation of a similar kind for England. But the proposition now before the House is simply a continuation of legislation that has long been adopted in Ireland, and it would be absurd for the Government to create another class of tenants now, after both Parties have gone so far in another direction. I hope that the results anticipated from the Bill will be obtained, and then it will be possible to see the net value of the Home Rule movement in the eyes of those who have attached themselves to it for the sake of agrarian advantages, about which they alone care.

(4.25.) SIR WILFRID LAWSON (Cumberland, Cockermouth): I hope my hon. Friend the Member for the Bordesley Division will himself go into villages and explain to the labourers—who, after all, are taxpayers—why it is desirable that their money should go into the pockets of the Irish landlords. He talked about the new-fangled Radicalism, but it is not new fangled to me. I have been a Radical ever since I came into this House, and I intend to remain one. I am glad that we have had this Debate to-day, and that the right hon. Gentleman the Leader of the House agreed so courteously to the adjournment last night, because we have been discussing the real issue, namely, whether or not the principle of State-aided land purchase is right. It is desirable that that matter should be thoroughly threshed out. But the curious part of the Debate is that it has been carried on for two days without the presence of the Irish Members. The House can now see what it will be like when the Irish Members are withdrawn —and a precious dull place it will be. As English credit is to be so extensively pledged, the question before the House is essentially an English question. I have been sent to the House by taxpayers, and it is my first duty to look after their money. The hon. Baronet the Member for Northumberland spoke in a high tone about the "timid and selfish taxpayers." I do not see why taxpayers have not every right to be timid and selfish, seeing that for several generations they have been robbed by the upper classes. We had on this side a very interesting Debate last night. The hon. Member for the Rushcliffe Division gave us a comprehensive speech full of facts and figures, the ex-Prime Minister followed with a very moderate speech, then came the right hon. Gentleman the Member for West Birmingham with a diplomatic speech, the Member for Elgin with a practical speech, and the Member for Haddington with a theoretic speech, for he said that both he and his constituents were prepared to run a theoretic risk with regard to this guarantee. But he was only following the views of the right hon. Gentleman the Member for West Birmingham, who asserted that there was absolute security for every penny used, and remarked that British credit was used, but not risked. What do you give a guarantee for unless there is some risk? If there be no risk, if the security is sufficient, why put in the guarantee at all? That is the whole question; that is what I am fighting about. I am opposing the bringing in of British credit for this scheme, and if you take that part out of it, leaving the scheme with the other security, I believe this Bill might pass in 10 minutes to-morrow. But my hon. Friend the Member for Haddington will find that he is mistaken; it is no use giving this guarantee and saying we shall not have to pay. Just as certain as that I stand here this guarantee will come into operation, and it can only come from the taxpayers. From the results of the labour of the country is this guarantee

created, and by this scheme you are proposing to sacrifice the interest of labour for the benefit of land. The two most interesting speeches we have had during the Debate were those delivered last night by the hon. Baronet the Member for Northumberland (Sir Edward Grey) and the hon. Member for Haddingtonshire (Mr. Haldane), and what I was most struck by in these speeches was an admission which pleased me very much indeed. Both hon. Members said things had now got to such a pass that a certain section—meaning the Radical section—had made such work up and down the country that the Liberal Party, if ever they came into power again, would never be able to carry a scheme of land purchase. This did good to my heart. We have not lived in vain. We have educated our Party. We have educated our Leader. I should like to be quite certain that we shall never be able to carry such a Bill. When Robert Bruce was told by one of his friends "I doubt I have slain the Red Comyn," he replied, "Dost thou doubt, I will mak sicker." I hope it is a certainty impressed upon the leaders of our Party that they may as well attempt to fly as to carry a wholesale scheme of land purchase for any place. Of course hon. Gentlemen will find something to say against us, and they will say that in 1886 the bulk of the Party were willing to accept a scheme of land purchase.

An hon. MEMBER: And will again.

SIR W. LAWSON: No, never again. That is the point we have reached. We accepted it then, some of us, as part of a large scheme for settling the Irish difficulty. We will never accept it again coupled with any scheme for Ireland. I believe, myself, the bringing in of that Bill, done though it was with good intentions, has been one of the greatest causes of the confusion into which the Liberal Party has fallen in late years. It was brought in as a good idea to float the Home Rule Bill, but it had the effect of sinking Home Rule for a time, though it will rise again. All the revelations of the last few days show that the abominable proposition of buying up Irish landlords is at the bottom of much of the trouble we are undergoing at this moment. Nothing has been more oppressive than these land schemes. Last Session it was sickening to hear the hon. Member for Cork (Mr. Parnell) talk as if he were negotiating with the Chief Secretary. We know what it means. The hon. Member for South Tyrone (Mr. T. W. Russell) "let the cat out of the bag" last night in replying to my hon. Friend the Member for Dumfries (Mr. Reid), who made a capital speech, thoroughly Radical, against land purchase.

> "I know," said the hon. Member for South Tyrone, "why the Radicals go against land purchase, because they think that is not the way to arrive at Home Rule."

This Bill is brought in then to block the way to Home Rule. The hon. Member admits it. But "in vain is the snare set in the sight of any bird." Every real Home Ruler, everybody who believes that a nation ought to govern its own affairs, will spurn this Land Purchase Bill. I have listened to speeches from the right hon. Gentlemen the Members for Mid Lothian and Newcastle; but they never convinced me that it is a wise or desirable thing to settle the land question, not leaving the plan to the Irish people. The land question is the great trouble and difficulty in Ireland. You say you are going to give them Home Rule, and yet you will not let them settle the one question which makes Home Rule necessary. That commends itself to the hon. Member for South Tyrone.

MR. T. W. RUSSELL (Tyrone, S.): I say we are not going to have Home Rule.

SIR W. LAWSON: But I say we are going to have it, and I say to withhold from Home Rule consideration the most important of the matters concerning the country seems to me—and I should think so if it were not advocated by so many able men—to be absurd. If you settle the land question you can only do so in a way to satisfy the Irish people, and you might as well leave to them the settlement. If you do not satisfy them, you settle nothing. It is a curious Bill. We are told landlordism has been the curse of Ireland, and now you are going to turn hundreds of landlords into thousands. It is an extraordinary way of settling the question. Judge O'Connor Morris has written a pamphlet, and in this he says—

> "Before many years two-thirds of Ireland will have become the land of mere peasant landlords, presiding over a mass of rack-rented tenants."

That is your Bill. The hon. Member for Birmingham (Mr. Jesse Collings) has talked about new-fangled Radicals, and said he followed Mr. Bright. But a very few years ago John Bright said the idea of buying out the propertied class was both unnecessary and unjust. We shall hear, when the time comes, what the constituencies say. New-fangled Radicalism will have something to say, and I think it will have an effect on the Ballot when we tell constituencies that money is going to be taken from them to enhance the price of land for the landlords of Ireland. We have had three pamphlets on this land scheme of the Chief Secretary, one written by my hon. Friend who spoke last night (Mr. Keay), a Radical, and who went carefully into the matter, another written by a Tory, to which I have alluded, and another written by the noble Lord the Member for Paddington (Lord Randolph Churchill), who is not a Radical. I do not know what he is. These afford full opportunity of studying the question. In the pamphlet by O'Connor Morris, a Tory landlord and County Court Judge, the writer says the Bill, if it passes, will disturb or subvert Irish land legislation, will bring new mischiefs out to be endured, do enormous wrong, and probably lead to revolutionary changes, aggravate instead of heal the feuds in Ireland, will have far-spreading disastrous consequences, and be at once iniquitous, mean, and selfish.

This is a pretty good description of the Bill of the right hon. Gentleman. I want a declaration from our Front Bench. What do they think of the Bill? If the usual occupants of that Bench are not present they ought to be. I remember how they fought last Session against compensation for the brewer and the publican; why will they not fight now against compensation to Irish landlords? If they would make a bold stand, if they would lead us now as then, if they would use all their power, influence, eloquence, and argument against this Bill as they did against the Licensing Clauses, the Liberal Party would follow them almost to a man, with the exceptions, perhaps, of the hon. Members for Northumberland and Haddington (Sir E. Grey and Mr. Haldane), who would form a Party of their own, I suppose. I think it is our duty, whether they lead us or not, to use every mode of opposition, every resource of resistance, every Parliamentary form we can possibly find to frustrate this attempt at wholesale robbery of the British taxpayers.

*(4.35.) Mr. MADDEN: I am glad that at last a speaker has risen in opposition to the Bill who has taken upon himself the task of proving that it is financially unsound. During the Debate I have listened with attention for that part of the argument to be reached. It appeared to me to be a most important part of the attack, and when the hon. Baronet approached that point I endeavoured to follow him and to grasp his argument. It is within the recent recollection of the House. What argument did the hon. Baronet used to rove the financial unsoundness of our proposals? Did he address one single argument to meet the proposition advanced earlier in Debate, namely, that the Imperial taxpayer is his own paymaster? If there is no risk, asked the hon. Baronet, why give a guarantee? The very idea of a guarantee, he said, involved the idea of a risk. I answer, not if you got an absolute, counter security, and in the present case the excellence of this counter guarantee removes all risk.

Mr. LABOUCHERE (Northampton): What is it?

*Mr. MADDEN: What is it? The counter security is this, and to this argument no answer has ever been attempted, either last Session or this: The total capital amount advanced cannot exceed 25 years' purchase of the annual amount which you have under your own control. You are your own paymaster, you have that sum under your own control, and until that argument is met it is idle to deal with vague attacks on the financial soundness of the scheme. The right hon. Gentleman the Member for Mid Lothian in his speech used an expression which I heartily and respectfully endorse. He said that the Debate appeared to him to be rather a continuation of the discussion of last Session than as a substantive Debate upon a new Bill. In one particular, I must admit, the present Debate has had a resemblance to the Debate last Session: each opponent of the Bill has in turn been answered by speeches from his own side. Following out the suggestion of the right hon. Gentleman, though not exactly as he intended, I think the continuity of the Debate has in this respect been strictly observed. Thus the hon. Member for Dumfries anticipated general repudiation of instalments; but he was answered to-day by the right hon. Gentleman the Member for Bradford (Mr. Shaw Lefevre), who indignantly repudiated repudiation. The whole point of the argument of the right hon. Gentleman the Member for Bradford was, there was no risk of repudiation or dishonest attempt to evade legal obligations. He declined to entertain the idea of repudiation, though he added there might be instigations to dishonesty proceeding from political advisers. Upon the probable action of the political advisers of the Irish tenants he is more competent to form an opinion than I am. His opinion is that men might be dissuaded from paying from political motives.

*Mr. SHAW LEFEVRE: I did not say not to pay just debts; indeed, I said exactly the opposite.

*Mr. MADDEN: I accept the right hon. Gentleman's explanation; but he stated that in his opinion there might be opposition to payment of instalments caused by pressure largely applied from political motives.

*MR. SHAW LEFEVRE: Pressure applied, I said, in Parliament, for postponement of payments, and for spreading these payments over a longer period.

*MR. MADDEN: Pressure from political motives in the direction of declining to pay at the proper time a legal debt. That is another way of stating the same thing. The right hon. Gentleman uses the euphemism "spreading payment over a longer period." I leave the difference of opinion on the subject of repudiation to be settled between the right hon. Gentleman and the hon. and learned Member for Dumfries. Then we have been told this is a landlords' Bill, and from that standpoint the hon. Member for Northampton (Mr. Labouchere) has denounced it. It was a Bill for the benefit of the plutocracy. He even coined a word, describing it as endowing the landocracy. Again, to save us trouble the right hon. Gentleman (Mr. Shaw Lefevre) has entirely demolished the argument of the hon. Member for Northampton. He says his objection to the Bill is that it will not be a final settlement, because the bonus which some tenants will get will prove such an enormous benefit to them that we shall never have peace because of the continual pressure which will be applied to landlords who refuse to sell. How it is possible to recognise this argument of the right hon. Gentleman with the description of the Bill by the hon. Member for Northampton I do not see. The right hon. Gentleman the Member for Mid Lothian also says the action of the Bill in conferring a boon on individual tenants is fraught with danger in the future, because it will engender agitation and discontent on the part of those who are left outside the operation of the Bill. Again, I leave that argument to be met by the opinion of hon. Gentlemen opposite. When the arguments of our opponents thus destroy each other, I am left with little to reply to. Again referring to the remark of the right hon. Gentleman that this is a continuation Debate, I ask what is the position? The House has now had the advantage of having the Government scheme before it for eight months. It was subjected to five nights' criticism last Session, and it has been debated for two nights on this occasion. Further, it has been subjected to criticism on platforms and in the Press, and I ask, has any alternative scheme for dealing with the Irish land question been propounded during the eight months which have intervened between the beginning and the end of this discussion? Into the general question of the propriety of a system of State-aided purchase of land in Ireland I will not enter now, for I take it there is practical unanimity on the subject among all classes and conditions of men. I take it as a political axiom that a well-considered and safe system of land purchase for Ireland is desired, and that no considerable body of politicians desire to terminate the experiment which has proved so successful in the past. Well, then, I ask—Does not the scheme of the Government hold the field? Has any alternative scheme been presented — have any counter proposals been seriously attempted? On the Second Reading Debate last Session the House and country were surprised when the hon. Member for Cork, speaking for his Party, laid as an alternative scheme before us a proposal for the fining down of rents. A discussion followed, and was continued throughout the country by the Press; but I fail to find that this alternative received any substantial support on public platforms or in the Press. Indeed, judging from an article in the *North American Review* on land purchase written by the hon. Member himself, I conclude that he has dropped, apparently for ever, the suggestions he made to the House on the Second Reading Debate last Session—at all events, as an alternative solution of this question. Our scheme holds the field. It has been admitted on both sides by speaker after speaker that the Irish land question is at the root of the Irish difficulty, and that it is a question that must be settled, and yet nobody has even provisionally offered to the House any other solution of the difficulty?

MR. LABOUCHERE: Leave it to an Irish Parliament.

*MR. MADDEN: To one portion of the Bill little allusion has been made except by the hon. Member for Durham (Mr. Joicey.) I mean the portion relating to the congested districts. The hon. Member said if this portion of the Bill stood as a Bill by itself he would be well disposed to assist in passing it into law. I welcome that statement. As soon as the House has got through the earlier portion of the Bill now before us, the House can take up the congested districts portion as if it were a Bill by itself. If it is admitted that the land question is the root of the Irish difficulty, that difficulty presents itself in the acutest, most accentuated form in the congested districts, and surely this is a time when circumstances have brought home to the heart and mind of every Member of this House the duty of dealing effectually with this difficulty? I attach the greatest importance to this portion of the Bill, and I say that the gratitude of the Irish people is due to my right hon. Friend the Chief Secretary for this first serious attempt to grapple with the troubles and difficulties of the congested districts, intensified, as they are, by the incidents of the present year. It is remarkable and encouraging that this part of the Bill has met with no hostile criticism, though some questions have been asked in regard to it. I have been asked for a definition of a congested district. Well, rightly or wrongly, the Bill contains a definition founded on the ratio of valuation to population. That may be right or wrong, but it is a practical basis for discussion when we reach that part of the Bill. The hon. Member for South Tyrone (Mr. T. W. Russell) took exception to the scheme of the Government being divided into two Bills, and asked for an explanation on this point. I will give it him. Either there will be time to pass the entire scheme or not. If there is time to do so, no harm will have been done by dividing it into two measures. If there is not time to pass the entire scheme, it will be because of that class of opposition to every line and word of the Bill with which we have been threatened, and because of that alone. The second Bill contains improvements of the law as to head rents, turbary, and so on, as to which there will probably not be much opposition when included in a separate Bill. But those are technical and difficult subjects, dealt with in complicated clauses, which will readily lend themselves to the class of opposition I referred to, and, therefore, to embody them in a Bill dealing with controversial subjects might lead to opposition on points as to which there is no dispute in principle, but which would be treated as controversial, with a view to defeat or delay the passing of the other parts of the Bill. If there is no time to pass both Bills, and if we secure the first, I think that everyone will agree that half a loaf is better than no bread.

MR. T. W. RUSSELL: When will the second Bill be printed?

*MR. MADDEN: The second Bill will be printed in the course of a few days. The differences between the former and the present Bills have been so fully dealt with by my right hon. Friend that I need only mention one. It is a provision to which I attach great importance—namely, the strengthening of the judicial force Land Commission by giving power to the Lord Chancellor to nominate any Judges of the High Court to act as additional Judicial Commissioners. I venture to say, in conclusion, that the Government scheme, and it alone, holds the field; I believe it will be passed into law, and that, when so passed, it will prove not only safe to the taxpayer, but the cause of peace and prosperity to many generations in Ireland.

*(5.3.) MR. CREMER (Shoreditch, Haggerston): Holding as I do opinions which conflict somewhat with those which have been expressed on this side of the House, and being a very advanced land tenure reformer, I think it only fair I should express the opinions which I entertain of the Bill, opinions which I believe are,

rightly or wrongly, shared by a very large number of my countrymen. This Bill contains two main proposals: one to buy out the Irish landlords with British money, the other to sell the land which has been so purchased to the tenants who now occupy it. The first proposal indicates the great advance which has been made upon the subject of land tenure reform within the last 20 or 25 years. Twenty years ago Mr. John Stuart Mill, who sat in this House, published a remarkable pamphlet in which he advocated the same principle which is embodied in the Government Bill— namely, the using of British money for the purpose of buying out the landlords of Ireland. At that time the views of Mr. Mill were considered so advanced that the principle he advocated was scouted by a majority of the Members of this House, and received but very scant support amongst the general public. But now that principle has been embodied in a Bill brought forward by the great Tory Party, who are thereby placing in the hands of those who advocate land nationalisation a very powerful weapon, because the land nationalisers propose that the whole land of the Kingdom should become the property of the State, and one of the methods by which they wish to secure possession of the land is that the national funds should be used for the purpose of buying out the landlords. I will not discuss whether it is right or wrong to apply British money for buying out the landlords of the Kingdom; but the great fault I find with the proposal of the Government is that when the funds of the nation have been applied for buying out the Irish landlords, and the State has taken possession of the land, the State should again part with it. When the funds of the nation have been to some extent jeopardised by this process, why should the nation create another race of landlords? The fact that the land of the country was owned by the State would be the best guarantee to the tenant against anything like arbitrary eviction. It is the arbitrary evictions on the part of the Irish landlords that have produced the present crisis, and it seems to me a very extraordinary thing to knock down one man and set up 20 in his place—to buy out one big landlord and manufacture a number of little ones. What guarantee have we that the new landlords to be created under this Bill will be of a better type than those which at present exist? The Bill affords no such guarantee, and I am inclined to think that the new landlords will be of even a worse type than the old ones. I therefore prefer to retain the existing system rather than create a new class of landlords about whom we at present know very little, and who, I fear, would be harsher in their conduct towards the tillers of the soil than the present owners of the soil. I object to the scheme also because the evils of the present system, as far as I can judge, would remain and become more crystallised. I further object to any man or any hundred men appropriating to themselves what is called the unearned increment, which should be appropriated for the benefit of the nation, and that evil is not dealt with in the present Bill. Finally, I object to the Bill on the ground that it would not be a complete or lasting settlement of land tenure reform. If you have a small or peasant proprietary created under this Bill what will happen will be that in a few generations the evils of the present system will be reproduced. The men of wealth will be always tempting the owners of small plots of land to sell; they will yield to the temptation, and the result will be that the small owners will in a short time disappear. The evils against which the Bill is now directed will then be reproduced, and in a short time we shall be face to face with another agrarian difficulty. The process to which I refer is going on at the present time in France. Some of our friends who advocate peasant proprietorship are never tired of praising the French system of land tenure, but I am informed by friends of mine in France—men who are entitled to speak with no small amount of authority on the subject—that the process of swallowing up the small men in France is growing apace. There is a class of men who lend money at an enormous rate of interest to those who own small plots of land, and as the small owners are frequently unable to pay the interest, they lose their property. Consequently, these small owners are rapidly disappearing, and unless steps are taken by the enactment of a law to prevent any individual from holding more than a certain quantity of land, the evils which the promoters of this Bill profess to be desirous of removing will be reproduced. This Bill may afford some temporary relief to the tenants in Ireland, but it will not afford permanent relief, and cannot be regarded as a final solution of the difficulty. Again, if this Bill passes, what is to prevent a cry proceeding from the tenant farmers of England, Scotland, and Wales for State assistance to purchase their farms; and why should not the same principle be applied to the crofters of Scotland as you propose to apply to the tenant farmers of Ireland? I presume that those who have made this proposal have thought it out to the end, and are prepared to face similar demands which must come from all parts of the United Kingdom. All such difficulties would be avoided if the State purchased the land and held it. To such a proposal I should give my cordial support; but to the present scheme, which involves the creation of a new class of landlords, I shall give my determined opposition.

(5.20.) The House divided:—Ayes 245; Noes 173.—(Div. List, No. 6.)

Main Question again proposed.

Debate arising;

It being after half-past Five of the clock, Mr. Deputy Speaker proceeded to interrupt the Business:—

Whereupon Mr. WILLIAM HENRY SMITH rose in his place, and claimed to move, "That the Question be now put."

MR. WADDY (Lincolnshire, Brigg): I rise to a point of order. I apprehend that as the Motion now made is not a Consequential Motion to the one just carried, it is not open to the right hon. Gentleman to move the Closure after half-past 5.

MR. DEPUTY SPEAKER: The question of order has been repeatedly decided.

(5.35.) Question put, "That the Question be now put."

The House divided:—Ayes 242; Noes 172.—(Div. List, No. 7.)

Main Question put accordingly, "That the Bill be now read a second time."

(5.50.) The House divided:—Ayes 268; Noes 130.—(Div. List, No. 8.)

Bill read a second time.

On the Question, "That the House go into Committee on the Bill to-morrow":—

(6.4.) MR. MUNDELLA (Sheffield, Brightside): I would ask the Government not to put down the Order for going into Committee to-morrow, as hon. Members desire to move Instructions to the Committee.

(6.5.) MR. W. H. SMITH: It is proposed to take the Seed Potatoes Bill and the Tithe Bill first to-morrow, and I hope hon. Members will be willing to proceed with the Land Bill after those.

MR. LABOUCHERE: On what day?

MR. W. H. SMITH: Friday.

Bill committed for Friday.

It being after Six of the clock, Mr. Deputy Speaker adjourned the House without Question put.

House adjourned at five minutes after Six o'clock.

HOUSE OF COMMONS,

Thursday, 4th December, 1890.

MR. SPEAKER'S CONTINUED ABSENCE.

The House being met, the Clerk at the Table informed the House that Mr. Speaker was again unavoidably prevented from taking the Chair of the House this day.

Whereupon Mr. Courtney, the Chairman of Ways and Means, proceeded to the Table; and, after Prayers, took the Chair as Deputy Speaker, pursuant to the Standing Order.

QUESTIONS.

THE NEW MAGAZINE RIFLE.

MR. HANBURY (Preston): I beg to ask the Secretary of State for War if he would state how many magazine Infantry rifles of the present pattern were sent to Hythe for trial and report prior to the adoption of the new arm; when they were so sent down and reported upon; who is the official at Hythe responsible for such Reports; whether the Report was favourable or the reverse; and whether he will lay such Report or Reports upon the Table of the House?

*THE SECRETARY OF STATE FOR WAR (Mr. E. STANHOPE, Lincolnshire, Horncastle): No rifles were sent to Hythe at that time, and, as I understand, for the reason that the Commandant, Colonel Tongue, was one of the Committee who chose the new rifle. One rifle was sent there in September, 1888. In August, 1888, five magazine carbines were sent there for trial, and the Report upon these and upon the rifle, which appears to have been tried with them, was received in November, 1888. The officer generally responsible would be Colonel Tongue, but, in the circumstances, he very naturally offered no remarks on the Report. The Report was generally unfavourable, and was curiously at variance with the tone of all the Reports which had been made by regimental officers and others, after the rifle had been placed in the hands of the private soldier. I will not produce any particular Report by itself, but I have not the least objection to producing all the Reports made before the adoption of the rifle, if the House wishes to have them.

MR. HANBURY: Will the Reports be laid on the Table?

*MR. E. STANHOPE: I will begin by placing them in the Library, where any hon. Member can see them. Although it would involve considerable expense, I would not oppose the printing and circulating of the Reports if it is desired.

In reply to a further question by Mr. HANBURY,

*MR. E. STANHOPE said no orders had been given to withdraw the ammunition marked I. for the magazine rifle.

MR. HANBURY: I beg to ask the First Lord of the Admiralty if he will state who is the official responsible for the introduction of a new small arm, such as the magazine rifle, into the Navy; whether he will lay the Report of such official upon the Table; and what trials were made by naval experts before it was adopted?

*THE FIRST LORD OF THE ADMIRALTY (Lord G. HAMILTON, Middlesex, Ealing): The Director of Naval Ordnance is responsible for the introduction of a new small arm into the Navy. There is no Report such as is implied in the question, since the rifle was accepted as adopted by the War Office. Before the magazine rifle was accepted a certain number of the rifles were issued to Her Majesty's ships for trial, and the Reports were generally favourable.

COLONEL NOLAN: I beg to ask the Secretary of State for War if he will place in the Tea Room drawings or models of the mechanism of the new rifle, and also a detail of its trajectories at various distances?

*MR. E. STANHOPE: I shall have much pleasure in meeting the wishes of the hon. and gallant Member.

SIR WALTER BARTTELOT (Sussex, N.W.): I beg to ask the Secretary of State for War if he will explain the reasons why it was necessary to introduce Mark II. of the magazine rifle?

*MR. E. STANHOPE: The reason why Mark II. is to be introduced is that an improved magazine has been adopted, which presents several great advantages, especially because it is easier to load and holds 10 cartridges. The other small improvements which are being adopted could easily have been introduced (and some of them have been introduced) into the manufacture of Mark I. Perhaps I ought to explain that we allowed the new rifle to be used in the drilling of the troops this year, in order to expose it to the roughest possible test, and we ordered that at the end of six months the rifles should all be examined by experts. Out of this examination have come various suggestions, some of which have been adopted. If the hon. Member, or any other hon. Member, would like to see them, I will direct that rifles of Mark I. and II. shall be brought down to the House at 5 o'clock on Monday. I may perhaps add that all my advisers, technical as well as military, are absolutely unanimous with respect to the general merits of the rifle.

DANGEROUS USE OF FIREARMS.

Mr. TALBOT (Oxford University): I beg to ask the Chancellor of the Exchequer whether his attention has been called to the following remarks of Mr. Justice Denman, reported in the *Times* of 27th November, in passing sentence on a prisoner named Sharpe, who was indicted for sending a letter threatening to kill a young woman, and who,

> "When arrested, was found to have a loaded revolver in his pocket." He "urged the necessity there was for putting a check on the facility with which revolvers could be obtained. He had many times pointed out to juries and Grand Juries that it would be a very good thing if some enactment to this effect could be passed, that no gunsmith should be allowed to sell a revolver to any person who could not produce his right then and there to carry one, and there should be a certain fee to the Exchequer due in such licence. It would be a wholesome thing if such an enactment could be passed, and he hoped that these cases would have the effect of calling the attention of the Legislature and the Chancellor of the Exchequer of the day to the subject, to see if the evil could not be turned into good;"

and whether he can hold out hopes of being able to take measures to prevent the indiscriminate and irresponsible use of the most dangerous firearms?

The CHANCELLOR of the EXCHEQUER (Mr. Goschen, St. George's, Hanover Square): I cannot say if it is generally known sufficiently that every person who carries a revolver at present is bound to pay the same Licence Duty as a person who carries a gun. Whether he always does so I am not aware. There is the same obligation to take out a licence, and certainly anyone carrying a revolver without having taken out a licence ought to be prosecuted, but the general question of taking any further measures with respect to the sale of revolvers remains with the Home Office, which has the matter under consideration.

Mr. J. LOWTHER (Kent, Isle of Thanet): Will the right hon. Gentleman consider the expediency of increasing the amount of the Licence Duty?

Mr. GOSCHEN: I have considered the amount with my official advisers, but they do not see their way to recommending an increase. I will consider the matter further.

PENAL SERVITUDE.

Mr. LENG (Dundee): I beg to ask the Secretary of State for the Home Department whether he contemplates taking any action towards giving effect to the recommendation of the Directors of Convict Prisons that Her Majesty's Judges should be empowered to pass sentences of three or four years' penal servitude instead of the present minimum of five years?

*The SECRETARY of STATE for the HOME DEPARTMENT (Mr. Matthews, Birmingham, E.): Yes, Sir; I hope to be able to introduce such a Bill this Session.

ASSISTANCE TO THE POLICE.

Mr. BROOKFIELD (Sussex, Rye): I beg to ask the Secretary of State for the Home Department whether his attention has been called to some observations recently made by Mr. Horace Smith, the Clerkenwell Police Magistrate, when hearing an application for a summons by Inspector Dixon against a young man for refusal to assist the police when called upon in the Queen's name; whether the learned Magistrate is correctly reported to have said—

> "That it was a matter for discretion on the part of a man whether he assisted the police or not,"

and

> "That he (the learned Magistrate) should hesitate before going into the midst of a violent crowd to assist the police;"

whether the police are instructed to demand the aid of any of Her Majesty's subjects whenever such a course appears to them to be necessary; and whether they are entitled to receive the same?

*MR. MATTHEWS: I am informed by the learned Magistrate that what he said was that it was a matter of discretion for the police whether they would call upon a stranger to assist them, and he added that he himself would hesitate, except in a case of grave necessity, to go into the midst of a violent crowd to assist the police, because at his time of life it would be foolish, in the same way as it would be foolish for a policeman to call for assistance from a cripple, a woman, or a child. He expressed his full intention of committing the prisoner for trial, but it having been proved that the defendant suffered from rheumatism in the arm the prosecution was dropped. The answer to the last two paragraphs is in the affirmative. The law is well known that where there is a reasonable necessity, and a person is called upon to assist the police, and there is no physical impossibility or lawful excuse for his refusal, he is bound to render assistance, and is guilty of a misdemeanour if he refuses.

JURISDICTION IN PETTY AND QUARTER SESSIONS.

SIR UGHTRED KAY-SHUTTLEWORTH (Lancashire, Clitheroe): I beg to ask the Secretary of State for the Home Department whether he has observed any report of the remarks made by Mr. Justice Hawkins, on 22nd November, in charging the Grand Jury at Norwich, especially those in which he commented on the "cruel hardship" suffered by men who are kept in prison two months or more after committal for trial at the Assizes for offences that would be adequately punished by six weeks' imprisonment, and on the necessity thus imposed on the Judge of Assize of discharging on the spot a man found guilty, for example, of a robbery deserving six weeks' imprisonment, but already punished by a longer term; whether the same consequences frequently follow committal to Quarter Sessions; whether the Government intend to take any action upon the subject and to adopt the suggestions of Mr. Justice Hawkins; whether any steps will be taken to remind Magistrates of the discretion which they already possess, enabling them to deal summarily with some of these cases, and in others to admit to bail; and whether he will bring in a Bill "enlarging," as the learned Judge advises, "the jurisdiction of Magistrates not only in Petty Sessions, but in Quarter Sessions"?

MR. MATTHEWS: I have seen a somewhat confused newspaper report of the remarks made by the learned Judge, who, as I understand, was referring to the power given to Magistrates by the Assizes Relief Act to commit to Quarter Sessions cases triable at Quarter Sessions, unless special reasons exist for committing to an intervening Assize. It is, I believe, generally understood that long detention in prison constitutes a "special reason" under the Act, which was passed with a full knowledge that it would in some cases cause a longer period of detention, but it was believed that on the whole there was a balance of advantage to prisoners in the principle which the Act contains. The Government are not prepared to reverse that legislation upon such short experience of it. I have no reason to believe that the Justices generally are not fully aware of the powers they possess. I have on one or two occasions called their attention to those powers where cases have been brought to my notice, and will continue to do so. A Bill has more than once passed the other House adding burglary to the list of offences triable at Sessions, and if the right hon. Gentleman will promote such a Bill, the Government will not oppose him. The Judges, as shown by their Report of April, 1878, are strongly opposed to any enlargement of the jurisdiction of Sessions in other respects, and the Government would not favour any such proposal.

CHIEF CONSTABLE OF CARDIGANSHIRE.

MR. SAMUEL EVANS (Glamorgan, Mid): I beg to ask the Secretary of State for the Home Department, with regard to his refusal to sanction the appointment of the late Mr. David Evans, of Aberystwyth, to the office of Chief Constable of Police for Cardiganshire, whether there was any correspondence relating to the subject of the appointment between the Court of Quarter Sessions, or any magisterial members of the Joint Standing Committee, and the

Home Office; and, if so, whether he will lay it upon the Table of the House?

MR. MATTHEWS: In order to form the best judgment I could in this matter, I saw and corresponded with various persons who appeared likely to be able to afford useful information. But these communications were all of a confidential character, and it would be contrary to precedent and public policy to make them public. I must, therefore, decline to lay upon the Table any correspondence on this subject, or to answer the hon. Member's question more particularly.

THE CONVERSION SCHEME.

MR. DILLWYN (Swansea, Town): I beg to ask the Chancellor of the Exchequer what was the average number of transfers of small amounts (say under £1,000 each) of Stock in the New Converted Two and Three-quarters per Cent Stock made in the course of any week during the last month as compared with the average number of like amounts of Consols Three per Cent., Reduced Three per Cent., and New Three per Cent., made in the corresponding week in the year 1880?

MR. GOSCHEN: The total number of transfers for the last week in November, 1880, was 2,093, and for the last week in November in this year, 2,330.

SOUTH KENSINGTON MUSEUM.

MR. WALLACE (Edinburgh, E.): I beg to ask the Vice President of the Committee of Council on Education whether the pay of the 1st and 2nd class attendants in the South Kensington Museum of Science and Art is much higher than that of the same classes of attendants in the corresponding Museum in Edinburgh; whether the qualifications for both classes of posts are identical; and whether he will state by what consideration the inequality in pay (if any) is explained?

THE VICE PRESIDENT OF THE COUNCIL (Sir W. HART DYKE, Kent, Dartford): The pay of the 2nd class attendants in the Edinburgh Museum is nearly the same as that of the attendants at South Kensington, but the pay ef the 1st class attendants is certainly lower. The qualification—if by this is meant the examination they have to pass before the Civil Service Commission—is identical. The rates of pay have been fixed in consultation with the Treasury on a consideration of the duties and responsibilities of the men and of the scale of living, together with the general level of wages in the two capitals.

Mr. Samuel Evans

THE TEA ROOM TABLE.

MR. BRUNNER (Cheshire, Northwich): I beg to ask the First Commissioner of Works whether he can give the House any information relating to the old table lately placed in the Tea Room?

THE FIRST COMMISSIONER OF WORKS (Mr. PLUNKET, Dublin University): The table now placed in the Tea Room is the table of the House of Commons in use from the year 1706 until the fire of 1834. To meet the requirements of the Union between England and Scotland, in 1706, Sir Christopher Wren was employed to enlarge and re-construct the internal fittings and furniture by which St. Stephen's Chapel was adapted for the reception of the House of Commons, and Sir C. Wren's arrangement and fittings remained without material alteration until the burning of the Houses of Parliament. The table corresponds both in ornament and workmanship with the style which belongs to the commencement of the last century, and it can be identified with the table represented by the artist Hickel in his picture of Pitt addressing the House of Commons, presented to us by the Emperor of Austria. The table contains the recess in which the Mace was placed when the House went into Committee, and the brass sockets which receive the metal work which ran round the table where the Mace was deposited. And, to complete the authentification of the table, I may mention that one of the officials in attendance at the Office of Works assisted in dragging the table out of St. Stephen's Chapel whilst the fire of October, 1834, was proceeding. It was taken then to the Office of Works, where it remained until the other day, when I had it brought down to this House.

INTIMIDATION.

MR. FENWICK (Northumberland, Wansbeck): I beg to ask the Secretary of State for the Home Department whether his attention has been called to the case of intimidation tried under "The Conspiracy and Property Act, 1875," by Mr. Preston, Stipendiary Magistrate, at Birkenhead Police Court, on Friday, October 31st; whether the accused were arrested under warrant; whether it is true that Mr. Preston declined to hear more than two witnesses for the defence, although the case for the prosecution occupied nearly five hours; whether he is aware that the licencee of the hotel where the men were arrested stated in evidence that the men said to have been intimidated

"came to the hotel by themselves, and could have left the place at any time if they had cared to do so;"

and whether, under these circumstances, he can see his way to a remission of the sentence?

*MR. MATTHEWS: The answer to the first two paragraphs is in the affirmative. The Magistrate did not decline to hear more witnesses, but intimated that to call more would be superfluous. Counsel complied with the suggestion, and thanked the Magistrate. The words quoted do not appear in the notes of evidence. It was a clear case, and I must decline to interfere.

MR. FENWICK: In consequence of the unsatisfactory nature of the answer I beg to give notice that I will call attention to the question on the Home Office Vote.

WORKING HOURS OF RAILWAY SERVANTS.

MR. PHILIPPS (Lanark, Mid): I beg to ask the President of the Board of Trade whether he has yet received any Returns from the Railway Companies under "The Regulation of Railways Act, 1889," as to the hours worked by persons in their employment; and what limit of hours has been fixed by the Board of Trade beyond which limit the Companies are obliged to make Returns of the hours worked?

THE PRESIDENT OF THE BOARD OF TRADE (Sir M. HICKS BEACH, Bristol, W.): A Return in pursuance of The Regulation of Railways Act, 1890," of certain classes of railway servants who were, during the months of September, 1889, and March, 1890, on duty for more than 12 hours at a time, and who, after being on duty more than 12 hours, were allowed to resume work with less than eight hours' rest, is in an advanced stage of preparation, and will be laid upon the Table in the course of the next few days.

MR. PHILIPPS: What limit has been fixed by the Board of Trade beyond which the Companies are to be obliged to make Returns of the hours worked?

SIR M. HICKS BEACH: The Act of Parliament leaves it open to the Board of Trade to name any limit, and I have that matter under consideration now. What I should like to obtain is some kind of distinction between different cases in the same employment. It is perfectly obvious there is great distinction.

ARRANGEMENTS OF THE HOUSE.

MR. RADCLIFFE COOKE (Newington, W.): I beg to ask the First Commissioner of Works whether he has yet matured his scheme for establishing communication between the House and the Libraries and Smoking Rooms?

MR. PLUNKET: There would be no difficulty in establishing communication between this Chamber and the Library and Smoking Rooms, as suggested by my hon. Friend, if it were quite clear that it was desired by a considerable majority of Members, and I do not forget that my hon. Friend presented me with a Memorial in support of his proposal numerously signed; but, on the other hand, I know that many Members are opposed to the plan, on the ground mainly, I think, that the House is already ill enough attended, and when a Motion was formally made on the 8th of April, 1889, on the subject it was negatived.

MR. COOKE: Is the right hon. Gentleman aware that a proposed counter Memorial on the occasion in question failed for the absence of signatures?

MR. PLUNKET: No, Sir; I was not aware of that.

MR. COOKE: May I ask the right hon. Gentleman whether he will give directions for the National Standard to be hoisted on the flagstaff on the Victoria Tower of the Palace of Westminster during the Session of Parliament?

MR. PLUNKET: The Houses of Parliament are technically a Royal Palace, and, as my hon. Friend is no doubt aware, when Her Majesty opens Parliament her Royal Standard is displayed on the Victoria Tower, but I have no power in the matter at all. The

Lord Great Chamberlain is the proper authority.

MR. COOKE: May I ask who is the Lord Great Chamberlain?

MR. PLUNKET: That is rather a difficult question to answer offhand. Perhaps the hon. Member will be good enough to give a longer notice of the question.

EDUCATION OF THE BLIND.

MR. MUNDELLA (Sheffield, Brightside): I beg to ask the Vice President of the Committee of Council on Education whether he proposes introducing a measure conferring the same educational advantages on the blind of England and Wales as are afforded by the Scotch Act of last Session?

SIR W. HART DYKE: It is the intention of the Government to introduce a measure dealing with the education of the blind in England later in the Session, so soon as the progress of public business will justify their doing so.

THE ROYAL ENGINEERS.

MR. CUNINGHAME GRAHAM (Lanark, N.W.): I beg to ask the Secretary of State for the Home Department, with regard to the case of a retired officer of the Royal Engineers, who presented on or about 10th July last, through the Home Office, a Petition of Grace to Her Majesty the Queen, asking that £30 a year be granted by reason of his 31½ years' service and that of his father, a Major-General Royal, and for certain other detailed reasons set forth in the Petition, if he can explain why the Home Secretary did not lay that Petition before Her Majesty, but transmitted it to the War Office to be dealt with; whether such a course is constitutional and according to Statute; and whether he will lay upon the Table of the House a copy of this Petition?

MR. MATTHEWS: This Petition was laid before the Queen by the Secretary of State for War, to whom it was forwarded by the Home Office in the ordinary course, as relating to matters within his jurisdiction. Constitutionally, the functions of the Secretaries of State are interchangeable, and there was nothing irregular in the way this Petition was dealt with. I have no objection to laying it on the Table of the House.

PROMOTION IN THE CIVIL SERVICE.

MR. COBB (Warwick, S.E., Rugby): I beg to ask the Secretary to the Treasury whether any, and what, progress has been made regarding the promotion of Second Division clerks of the Civil Service under the Orders in Council and Treasury Minute alluded to by him in his statement of the 28th of last March; and whether he can state from what date such promotions will take effect?

*THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.): I do not know that I clearly understand the question of the hon. Member. I have referred to my answer of the 20th March, and find that it lays down correctly the conditions under which clerks of the Second Division are selected for higher posts. As cases occur they receive our consideration, but there is no general progress on the subject, as I understand it, to report.

MR. COBB: Since the end of March has nothing been done to remedy the grievance complained of?

*MR. JACKSON: Oh, yes. As vacancies arise there are three ways of dealing with them; one is not to fill them up at all; the second is to fill them up by transfer; and, in the third place, they can be filled up by promotion.

THE COUNTY COUNCILS AND EDUCATION.

THE MARQUESS OF HARTINGTON (Lancashire, Rossendale): I beg to ask the Chancellor of the Exchequer whether, in view of the fact that many of the County Councils of England are setting apart sums of money under "The Local Taxation Act, 1890," for important educational purposes, and that the Joint Committees of Wales are embodying the grants under this Act in their schemes for intermediate education, he can give an assurance that these grants are not about to be applied to some other purpose, but will continue to be available for intermediate, technical, and agricultural education?

MR. GOSCHEN: I do not consider that I am in a position to give any formal or official assurance, but I may say that there are no suggestions before me for applying these grants to some other purpose, and I may add, as my personal opinion, that if County Councils set themselves heartily to work, as in many places they appear to be doing, to utilise the grants for important educational purposes, it would probably be difficult for any Minister to persuade Parliament to divert them, even if he himself desired to do so.

CASE OF COLONEL MITCHELL.

MR. CUNINGHAME GRAHAM: I beg to ask the Secretary of State for the Home Department whether he has received any complaint from the suppliant in "Mitchell *v.* Regina," that in consequence of not having received the balance of compensation on retirement from the War Office, and being thereby unable to pay a certain debt, he was arrested by the head bailiff of Salford Court, Manchester, lodged in Strangeways Prison, Manchester, placed in a cell on the criminal side of the prison, assaulted by a warder, kept for a whole day without proper food, and refused permission to see any doctor; whether, inasmuch as the complaint was investigated by the Home Office, and the statements found to be correct, and the warder officially and seriously admonished, he can explain why all compensation has been refused the officer; and whether the warder who assaulted the gallant officer is the one who was lately tried at the Liverpool Assizes for the murder of a prisoner in Strangeways Prison?

MR. MATTHEWS: The petitioner in the case quoted complained to me in July, 1888, that, being detained one day in Strangeways Prison, between the hours of 6 a.m. and 4.50 p.m., he was treated in a manner not in accordance with the rules. I inquired into these allegations, and, having reason to think that one of the warders had been rough in his manner and language, I caused him to be reprimanded and cautioned. I was not able to discover that there had been any breach of the Prison Rules, or that there was any ground for compensation. In September, 1888, the petitioner caused the Governor of the prison to be served with notice of action, but has not since proceeded with the action. The answer to the last paragraph is in the negative.

MR. CUNINGHAME GRAHAM: I beg to ask the First Lord of the Treasury if he will, in view of the decision in the Courts of Law in "Mitchell *v.* Regina," cancel the official letter to the Secretary of State for War, dated Treasury Chambers, 31st March, 1888, printed in the Army Appropriation Accounts, and the Report of the Auditor and Controller General, 1887-8, laid upon the Table of the House of Commons, stating that the Secretary of State for War's contention to be the sole interpreter of Royal Warrants is "unconstitutional, *ultra vires*, and contrary to the Statute?"

*THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): The letter to which the hon. Member refers does not relate to Colonel Mitchell's case, and is not inconsistent with the decision of the Law Courts. The view of the Treasury is that—

> "It would be *ultra vires* for a Royal Warrant to give to the Secretary of State such a power of interpretation as would prevent them (the Treasury) from forming and expressing their own judgment on the meaning of the Warrant in any points that can affect Treasury action."

THE PAY OF THE METROPOLITAN POLICE.

MR. PICKERSGILL (Bethnal Green, S.W.): I beg to ask the Secretary of State for the Home Department whether he has sanctioned an improved scheme of pay for the Metropolitan Police; and, if so, what are the terms of the scheme?

MR. MATTHEWS: Yes, Sir; I have sanctioned an improved scheme of pay for the Metropolitan Police, but all the details are not finally settled. I shall have no objection to laying the Police Order, in which those details will appear, in due course upon the Table of the House.

MR. HOWARD VINCENT (Sheffield, Central): I beg to ask the Secretary of State for the Home Department if he has had under consideration the question of the pay and allowances of the Metropolitan Police Force, and particularly the question of lodgings for the married men stationed in the highly rented inner divisions; and if he has come to any decision on the subject?

MR. MATTHEWS: These questions have, during the Recess, been receiving the anxious consideration of myself and the Commissioner. I have already informed the House that I have sanctioned an improvement in the scale of pay, and I have every hope that the arrangements made will remove any ground of complaint that may have existed.

RAILWAY RATES.

MR. J. E. ELLIS (Nottingham, Rushcliffe): I beg to ask the President of the Board of Trade whether he will be good enough to state what is now the position of things as between the Board of Trade and the Railway Companies with respect to the carrying into effect of Section 24 of "The Railway and Canal Traffic Act, 1888?"

SIR M. HICKS BEACH: The Board of Trade have made to Parliament the Reports provided for by the section in cases of disagreement in respect to nine great Railway Companies. They are at present making further efforts to adjust the limited number of differences which still exist between traders on the one hand and the companies on the other, and I hope at an early date to be able to introduce Bills confirming Provisional Orders as regards those companies. The schedules of the other companies are still under consideration.

PRINTING OF FARES ON RAILWAY TICKETS.

MR. J. E. ELLIS: I beg to ask the President of the Board of Trade whether, having regard to his answer on the subject on 17th April last, it may be taken that Section 6 of "The Regulation of Railways Act, 1889," providing for the fare being printed on every passenger ticket, will become universally operative on and after 1st January 1891?

SIR M. HICKS BEACH: Yes, Sir.

WEIGHING MINERALS.

MR. CUNINGHAME GRAHAM: I beg to ask the Secretary of State for the Home Department whether, inasmuch as the House of Lords has decided that the "Billy Fairplace" system of weighing minerals belonging to miners is illegal, he will take steps to have the instrument removed from the pit banks at Burnbank Colliery, Scotland?

MR. MATTHEWS: Before I can answer the question of the hon. Member I must have from the Inspector of the District a Report, for which I have asked, as to the nature of any instrument in use at Burnbank.

THE GAS STRIKE.

MR. CUNINGHAME GRAHAM: I beg to ask the Secretary of State for the Home Department if Her Majesty's Government, during the month of October 1890, promised to supply the Gas Companies of London with labourers in the event of a strike, as was generally recommended at the time?

MR. MATTHEWS: In reply to an application from the Gas Light and Coke Company, Her Majesty's Government pointed out that they could not interfere in any way in disputes between employers and employed so long as both parties kept within the provisions of the law, and that the facts then before them did not require them to adopt any distinct course of action, but that they would think it right to take whatever action might be necessary to avert or minimise the grave public danger which would be involved in allowing London to be plunged into complete darkness for an indefinite period.

THE DYNAMITE PRISONERS.

MR. JOHN O'CONNOR (Tipperary, S.): I beg to ask the Secretary of State for the Home Department whether, according to his promise made at the conclusion of the last Session of Parliament, he has made inquiries into the condition of certain prisoners confined in Chatham Prison, with a view to their removal to another prison; and, if so, with what result?

MR. MATTHEWS: Yes, Sir; I have inquired into this matter, and am satisfied that the prisoners referred to have not suffered any ill-treatment or been placed under any disadvantage on account of the complaints that they have made. Circumstances will, however, make it necessary before long to make a transfer of prisoners from Chatham to some other convict prison, and the prisoners referred to will be among those transferred, as soon as the requisite arrangements are completed.

"HEFFERNAN *V.* CARTER."

MR. JOHN O'CONNOR: I beg to ask the Attorney General for Ireland whether he has had brought under his notice the verdict in the case of "Heffernan *v.* Carter and Tuohy," in which the jury found that

> "The firing of the shot which killed Heffernan was not necessary for the self-defence of Carter and the police;"

and whether the Law Officers of the Crown in Ireland will now institute proceedings against the officer who ordered the shot to be fired and the policeman who fired it?

*THE ATTORNEY GENERAL FOR IRELAND (Mr. MADDEN, Dublin University): Proceedings were instituted on behalf of the Crown against District Inspector Carter and Constable Tuohy as long ago as the month of November, 1889. The Magistrates refused to return them for trial on the ground that they acted in discharge of their duty, and were justified in the course which they took in the circumstances in which they were placed. This decision is fully supported by the evidence in the civil action and by the findings of the jury in this action upon the issues with respect to which they were able in the first instance to agree. They found without any hesitation that it was the duty of District Inspector Carter and his police to disperse the crowd, and that the performance of this duty was attended by personal danger to the Inspector and the police. Having agreed on these issues, they came into Court and told the Presiding Judge that they were unable to agree on the remaining issues, namely, whether the firing of the shot was necessary for the self-defence of Carter and the police, and whether the plaintiff had a reasonable expectation of pecuniary benefit from the continuance of the deceased's life, and they suggested to the Judge whether they might not return an answer to the former of those two issues conditional upon the answer to be returned to the second. On being informed by the Judge that such a verdict could not stand, they again retired, and ultimately returned with findings answering both these questions in the negative. This amounted to a verdict for the defendants. I have, of course, no information as to how a unanimous decision on the two last-mentioned issues was arrived at, but, having regard to the decision of the Magistrates, to the facts proved in evidence in the civil action, and to the verdict and action of the jury taken as a whole, I see no reason to direct any further proceedings in the case.

COUNTY COUNCILS.

MR. BRYCE (Aberdeen, S.): I beg to ask the Chancellor of the Exchequer whether, considering the difficulty in which the Councils of counties and burghs in Scotland are placed as respects the application of the sums which they are empowered to apply for the purposes of technical education under Section 2 of the Local Taxation (Customs and Excise) Act of last Session, owing to the uncertainty of the continuance of the fund whence such sums arise, he can hold out a prospect that in future legislative steps will be taken to provide some fund from which sums may be available for the above-mentioned purpose?

MR. GOSCHEN: I will refer the hon. Gentleman to the answer I have already given to my noble Friend the Member for Rossendale (the Marquess of Hartington).

SENIOR COLONELS.

GENERAL FRASER (Lambeth, N.): I beg to ask the Secretary of State for War, in view of the Royal Warrant which comes into force on the 1st January, 1891, whether a Senior Colonel, who fulfils the conditions of Clause 136 of the Royal Warrant of 1878, wherein it is stated

> "That a Lieutenant Colonel appointed as such before 1st November, 1871, if he shall have attained the rank of Colonel, shall retain his right to succeed in his turn to the Establishment of General Officers,"

is now assured of his promotion; and if, in justice to the Purchase Officers of the Army, he will take into consideration the recommendation of Lord Penzance's Royal Commission in 1876, that the Establishment of General Officers shall remain at 275, as fixed by the Royal Warrant of 27th December, 1870; and also these words in their Report—

> "We do not think that we should be justified in recommending the application of compulsory retirement to the rank of Colonel?"

*MR. E. STANHOPE: There are not more than four of the present Colonels who were Lieutenant Colonels before the 1st of November, 1871; and, as they only held that rank in virtue of commanding companies in the Foot Guards, they were not qualifying for the rank of Colonel. As regards the number of

General Officers, I may point out that the vacancies which have given promotion to Colonels since 1871 have, as a result of compulsory retirement for General Officers, been much more numerous than they would have been if the Establishment then subsisting had been retained without any such retirement. The result has been a considerable increase of charge.

THE ESTIMATES.

Sir JULIAN GOLDSMID (St. Pancras, S.): I beg to ask the First Lord of the Treasury whether he has considered the proposal to refer the various Classes of Estimates to Grand Committees specially appointed to consider each Class, with a view to careful examination by such Committees, instead of the desultory discussion in Committee of the whole House?

***Mr. W. H. SMITH**: I concur in the view of the hon. Baronet, which I understand to be implied by his question, that the working of the existing system of the consideration of Estimates by Committee of the whole House is unsatisfactory. There is an absence of all proportion in dealing with the questions involved in the Votes, and there can be little doubt that a remedy is very urgently called for; but I have not yet perceived any indication of a willingness on the part of the House to delegate this portion of its duties to a Standing Committee in such a fashion as to deprive Members in the House of the power of raising questions on every item of every Vote. It will be obvious to the hon. Baronet that no Government could with advantage propose a vital change in practice without a very general consensus of opinion on such an important matter, and any changes that may be made must secure that the authority and responsibility of the House of Commons with regard to the expenditure of public money shall remain unimpaired.

REGISTRATION.

Mr. HOWARD VINCENT: I beg to ask the First Lord of the Treasury if, having regard to the calculation that upwards of £300,000 is anually spent by Political Parties in registration matters, whereas in other countries the registration of persons having the public right to vote for representation in Imperial or Municipal Government is a matter of public concern, Her Majesty's Government will consider whether it will be possible to deal with the matter before the next General Election?

***Mr. W. H. SMITH**: The Government are not at present prepared to deal with this question.

ASSISTED EDUCATION.

Mr. MUNDELLA: I beg to ask the First Lord of the Treasury whether, in consideration of the great interest which is felt throughout the country as to the Government measure relating to assisted education, he will arrange for the introduction of the Bill before the Adjournment for the Christmas holidays, so as to afford time for its consideration by the country?

***Mr. W. H. SMITH**: The Government are not prepared to introduce the measure relating to assisted education before Christmas.

Mr. MUNDELLA: Will the right hon. Gentleman give ample time, so that the intense interest taken in the subject by all sections of the community may be satisfied?

***Mr. W. H. SMITH**: Undoubtedly it is a question upon which ample time should be afforded to the House and the country to consider the proposals of the Government before they are sanctioned.

PRISON CLERKS.

Mr. LAWSON (St. Pancras, W.): I beg to ask the First Lord of the Treasury whether he can state why it is impossible to include the clerks employed in Her Majesty's prisons in the new Second Division scheme, as recommended by the Royal Commission on Civil Establishments, and adopted by the Treasury Minute?

***Mr. W. H. SMITH**: No new scheme for the prisons clerks has as yet, so far as I can understand, been promulgated, and I cannot, therefore, undertake to answer the hon. Gentleman's question.

BUSINESS OF THE HOUSE.

Mr. BRYCE: I beg to ask the First Lord of the Treasury when it is proposed to take the Second Reading of the Private Bill Procedure (Scotland) Bill?

MR. T. W. RUSSELL (Tyrone, S.): May I ask when the Government will take the Second Reading of the Irish Land Bill, No. 2?

***MR. W. H. SMITH**: The Private Bill Procedure (Scotland) Bill is down for Second Reading to-night, and I am in hopes it may be reached, but it will not be possible to proceed with it unless with the consent of the House.

MR. J. MORLEY (Newcastle-upon-Tyne): We all understood that it was not to be taken now?

***MR. W. H. SMITH**: I agree that it shall not be taken if there is any general objection.

MR. J. MORLEY: Was it not understood we should adjourn after certain Bills were disposed of?

***MR. W. H. SMITH**: Certainly; and we should not think of keeping the House sitting for this Bill.

MR. T. W. RUSSELL: I have not received a reply to my question.

***MR. W. H. SMITH**: The Second Reading will be on Monday.

THE TITHES COMMISSION.

MR. H. GARDNER (Essex, Saffron Walden): I beg to ask the President of the Board of Trade if he can state the terms of the Reference to the Royal Commission on the Redemption of Tithes, or if it is intended to allow the Commissioners to inquire into cases of tithe rent-charge which are at present admitted to be excessive?

SIR M. HICKS BEACH: I am not prepared to state the precise terms of Reference to the Royal Commission on the question of the Redemption of Tithe. The question of the incidence of tithe rent-charge in certain parts of the country must come before the Commission.

MR. H. GARDNER: Will the Commission inquire into the revision of tithe?

SIR M. HICKS BEACH: I shall be very sorry if my answer has led hon. Members to think so.

CLARE SLOB LANDS.

MR. COX (Clare, E.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether the Government, in carrying out their proposed Irrigation Scheme, contemplates the allotment of the lands known as the Clare Slob Lands, containing 1,200 acres, at present in the possession of the Irish Board of Works, to small holders; and, if not, to what use it is intended to devote this valuable property?

***MR. JACKSON**: I do not quite understand the hon. Gentleman's reference to the "proposed Irrigation Scheme," or how it can be connected with the Clare Slob Lands.

MR. COX: It should be "emigration," and not "irrigation."

***MR. JACKSON**: I can only answer the question as it appears on the Paper. Petitions have been presented to the Landed Estates Court, and if nothing unforeseen occurs the property may be put up to public tender in January.

LIGHT RAILWAY BETWEEN ENNIS AND SCARRIFF.

MR. COX: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he has received a large and influentially signed Memorial in favour of the construction of a line of light railway between Ennis and Scarriff; and, if so, whether the Government intend to agree to the request of the Memorial?

MR. MADDEN: I am informed that the Memorial was received on Saturday last. No decision has yet been arrived at.

SEED POTATOES IN IRELAND.

COLONEL NOLAN (Galway, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he will state the provision he is making for a change of potato seed in Ireland, in sufficient time to permit of arrangements being made for the purchase and distribution of seed, without the hurry and confusion of 1880?

MR. MADDEN: My right hon. Friend the Chief Secretary is pledged to bring in a Bill, and he proposes to introduce it to-night.

WRECK OF THE *HAROLD*.

MR. M'CARTAN (Down, S.): I beg to ask the President of the Board of Trade whether he is aware of the danger to fishing boats caused by the wreck of the Ss. *Harold*, which is lying submerged off the North Rock, Portavogie, County Down; and whether, considering the frequent complaints made by the fishermen as to the danger to life and property caused thereby, he will consider the desirability of having the wreck removed?

SIR M. HICKS BEACH: The Commissioners of Irish Lights, in the interests of general navigation, placed in May last a buoy to mark the position of the wreck of the *Harold*, and issued a notice to mariners to that effect. Under the Removal of Wrecks Act, the Commissioners and not the Board of Trade would be the authority to act if they thought the wreck to be an obstruction or danger to navigation, and by their action in May it is to be assumed that removal is not, in their opinion, necessary. I am now in communication with the Commissioners in the matter.

SUNDAY DELIVERY OF LETTERS.

MR. M'CARTAN: I had intended to ask the Postmaster General whether he is aware that, during the present year, a written request for a Sunday delivery of letters from Millisle to Carrowdore was made to the Secretary of the General Post Office, Dublin, by a large and influential number of the inhabitants of the district of Carrowdore, Donaghadee; and whether, considering the general complaints made by the people as to the serious inconvenience which non-delivery of letters there on Sundays causes to the residents of the district, he will consider the advisability of instituting a Sunday delivery of these letters? At the request of the right hon. Gentleman I beg to postpone the Question until tomorrow.

FAIR RENT APPEALS.

MR. M'CARTAN: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he will state the number of fair rent appeals heard and decided by the Chief Land Commission during its last sitting at Belfast; in how many cases were the fair rents reduced and increased respectively; what number of appeals were dismissed; how many appeals were listed from the Union of Downpatrick, in the County of Down; why the farmers and their witnesses were put to the expense and inconvenience of travelling such a considerable distance, from Downpatrick, which is an Assize town, to Belfast, to attend the hearing there, and why the Land

Commission did not hold a sitting at Downpatrick; whether the gentleman who is Court Valuer for the Land Commission in County Down was formerly a Sub-Commissioner in Down; and why the rents fixed by three Sub-Commissioners in County Down were increased at this sitting on the Report of one ex-Sub-Commissioner?

MR. MADDEN: The Land Commissioners report that during their last sitting at Belfast 83 fair rent appeal cases were heard, with the following results:—Rents reduced, 5; increased, 27; decisions of Sub-Commissioners affirmed, 39; originating notices dismissed on law points, 6; judgment reserved, 6. From Downpatrick Union 54 cases were listed for hearing. Of these 45 appeared before the Court. The Commissioners state that it has been their practice to hear appeals from Downpatrick Union at Belfast, except on one occasion when the Appeal Court sat at Downpatrick for that purpose. Mr. Bomford, the valuer, has not acted as an Assistant Commissioner in Down since upwards of four years ago. He did not act as Assistant Commissioner in any of the cases listed at Belfast. The Commissioners, in arriving at their decisions, had before them not only the Reports of their Court Valuer, but also the evidence produced before them, both on behalf of the landlords and the tenants.

MR. M'CARTAN: Is the right hon. Gentleman aware that the only additional evidence was that of the Court Valuer, who was, to some extent, the representative of the landlords?

MR. MADDEN: I have given the hon. Gentleman all the information I have.

MR. M'CARTAN: Is the right hon. Gentleman aware that some of these poor tenants had to travel a distance of more than 40 miles, and to pay their own expenses?

MR. MADDEN: I will call the attention of the Commission to the fact.

DRAINAGE OF THE RIVER SCARRIFF.

MR. COX: I beg to ask the Secretary to the Treasury whether he is aware that in 1879 it was proposed to borrow £32,000 from the Board of Works, under the Relief of Distress Act of that year, for the purpose of the drainage of the River Scarriff, and that advance of said sum was agreed to by the Board of Works; whether he has received a resolution, adopted by a large and influential public meeting of landlords and tenants, and others interested, recently held in Scarriff, urging on the Government the necessity of going on with this work; whether a resolution was also adopted, asking that the Drainage Acts might be so amended as to enable tenant farmers, holding judicial leases, to become proprietors within the meaning of the Act; and what action the Government intend taking in the matter?

*MR. JACKSON: The statements in paragraph 1 of the hon. Member's question are correct. I understand that the scheme for the Scarriff Drainage fell through, as no action was taken within the time allowed by the Provisional Order, and extended by the Board of Works to the 1st March, 1887. I have received the resolutions referred to. As to the last paragraph, I should be glad if the hon. Member would address his inquiry to my right hon. Friend the Chief Secretary.

MR. COX: In view of the distress prevailing, do the Government propose to take any action in the matter?

*MR. JACKSON: It is not in my power to say. The hon. Gentleman had better give notice of a question to the Chief Secretary.

THE LAND COMMISSION.

MR. COX: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he has received a copy of a resolution, adopted by the Ennistymon Board of Guardians, complaining of some recent decisions in that Union of the Land Sub-Commissioners (Messrs. James Greene, Chairman, J. Martin, and J. J. Ginny), as being in excess of the reductions the landlords offered beforehand, and entirely beyond the paying capabilities of the tenants; and whether he will direct the attention of the Land Commission to these facts?

MR. MADDEN: Any person aggrieved by a decision of a Sub-Commission can appeal. The Government cannot interfere.

NOTICE OF MOTION.

THE CASE OF WALTER HARGAN.

MR. J. LOWTHER: I beg to give notice that upon the earliest available day I will call attention to the grave miscarriage of justice which has taken place in the case of Walter Hargan, who has been sentenced to a long term of penal servitude for having protected his own life, and I will move for an Address to the Crown for a free pardon.

NORTHAMPTON (PROHIBITION OF PUBLIC MEETING).

Address for—

"Copy of Correspondence between the Secretary of State for the Home Department and the Northampton Magistrates with reference to the prohibition of a meeting intended to have been held in the Market Square, Northampton."—(*Mr. Bradlaugh.*)

PUBLIC PETITIONS COMMITTEE.

First Report brought up and read; to lie upon the Table, and to be printed.

MOTIONS.

COMPANIES' ACT (1862) AMENDMENT BILL.

Bill ordered on November 26 [see page 112]; presented, and read first time. [Bill 146.]

ELECTORS REGISTRATION (ACCELERATION) BILL.

On Motion of Mr. Ritchie, Bill to accelerate the proceedings for the Registration of Electors in England and Wales, and to alter certain dates connected therewith, ordered to be brought in by Mr. Ritchie, Mr. Attorney General, and Mr. Long.

Bill presented, and read first time. [Bill 147.]

SEED POTATOES SUPPLY (IRELAND) BILL.

On Motion of Mr. Arthur Balfour, Bill to provide for the supply of Seed Potatoes to occupiers and cultivators of land in Ireland, ordered to be brought in by Mr. Arthur Balfour, Mr. Attorney General for Ireland, and Mr. Jackson.

Bill presented, and read first time. [Bill 148.]

ORDERS OF THE DAY.

SUPPLY—COMMITTEE.

Considered in Committee.

(In the Committee.)

CLASS VII.—MISCELLANEOUS.

SUPPLEMENTARY ESTIMATE.

£5,000, Supplementary, Relief of Distress (Ireland).

(4.21.) THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): Mr. Courtney, as the Committee will see, the sum which I now ask them to vote is relatively a trifling one, but I think that this will be the most convenient opportunity for me to explain on behalf of the Government our views as to the character of Irish distress, and the methods by which we propose to deal with that distress. I am afraid that in dealing with that subject I shall have to trouble the Committee at length, although I will make my observations as brief as I can. I propose to lay upon the Table of the House Reports which will show the character of the failure of the potato crop in various districts in Ireland; but for the purposes of the present Debate I may take it as a matter of notoriety and of common knowledge, requiring no special proof and not requiring the production of documents, that in a considerable portion—the larger portion—of the western seaboard in Ireland the failure of the potato crop has been a very serious one. The amount of the failure of the crop varies in the different districts in which it has failed from half the average crop to a quarter, or even to less, and of this half or quarter crop a large proportion are immature, when not diseased, and although I will not go the length of saying that they are unfit for human food, they have certainly not the sustaining qualities which the average potato in ordinary years possesses. Now, the question that we have to determine is what amount of distress this admitted failure in the potato crop involves in these districts, and how that distress ought most properly to be met. I think it will fix the idea of the Committee upon the subject if I attempt to lay before them a concrete case which will show how this failure affects the life and mode of existence of an ordinary small occupier in the distressed districts, but of course no single statement will be applicable to all these districts. The following will be a not unfair example of what will happen in one of the worst parts of these districts. Under ordinary circumstances the occupier's crop of potatoes would supply him in each year with two meals a day from the 15th of August to the 15th of February, and with one meal a day from the 15th of February to the 15th of April, and after that date he has to depend largely upon other food bought upon credit from the local shopkeeper. This year I am told that, instead of having sufficient potatoes for two of his meals per day from the 15th of August to the 15th of February, he will only have them at one of his meals per day to the 15th of December, and that after the 15th of December he will probably have no potatoes at all. The result will be that, instead of being dependent upon other food stuffs bought chiefly upon credit from the 15th of April to the 15th of August only, he will have to depend upon those other supplies for about 17 weeks more, and the House will readily understand that although the local shopkeepers might be prepared to give credit—as is unfortunately the custom in Ireland—from the 15th of April to the 15th of August, they may by no means be prepared to extend that credit from the 15th of December to the 15th of August. It must be recollected that in other large parts of Ireland, as in the north and east, the crops are distinctly good this year, as I am glad to say they are where the crop has not failed, and the occupiers have other crops which they can fall back upon to meet the pinch of distress; but in these poor districts in the West of Ireland the occupier has but a very small margin upon which to economise; in fact, he has, I am afraid, no margin at all. No doubt in many instances it will be found that these small occupiers have a considerable amount of stock upon paper, but that stock is of very poor quality, and if brought to market it would certainly not fill up the gap caused by the failure of the potato crop, while to draw upon it would diminish in future years the power of the man to meet the difficulties of his situation. For example, in some of the poorer districts of Donegal

I find, from inquiries I have made, that a number of these sheep, if taken to market, would not realise more than 18s. each, and the better opinion is that they would not fetch more than 15s. each. Thus to say that a man had 10 sheep without giving their market value would convey a very misleading idea of his real position. I do not think that I need labour further the point of the degree and character of the distress caused by the failure of the potato crop. The first consequence of that failure is that there will be no seed for the next year's crop; and the second consequence is the actual want which may be apprehended this year, and for the relief of which we must provide at once. I will deal with these two consequences in their order. It was brought to my knowledge about the middle of August that the failure of the potato crop was so serious that some steps will have to be taken to provide seed for next year. I was acquainted with the difficulties and also the great abuses which attended the administration of the Act of 1880. I at first entertained the idea that it was possible the best plan would be for the Government itself to take advantage of the market, and privately to obtain the requisite amount of seed supply, and then to give it out on such conditions as Parliament thought fit to the localities where it was required. I made considerable investigation into both the amount and quality of the potato crop in England, Scotland, and the North of Ireland; and I believe the potatoes of the North of Ireland are every bit as suitable for the South-West of Ireland as any grown in England or Scotland. I consulted experts upon the subject of seed potatoes, and I thought at one time I saw my way to ordering, in the hope of obtaining subsequent Parliamentary sanction, a sufficient number to meet the necessities of the case; but this problem soon presented itself to my mind—what kind of potato ought to be planted? Those who have followed the question closely are probably aware that, consequent upon the distress of 1879-80, the Champion potato was almost universally planted along the west coast of Ireland; and the Champion potato is still the popular potato in Mayo, Galway, Cork, and other counties. Curiously enough, the Champion potato is not popular in Donegal. The farmers of Donegal are not of opinion that it is the most disease-resisting potato; they have by no means made up their minds as to what potato they ought to have; but they have come to the conclusion that the Champion potato has many defects. I myself am disposed to think that it has not the disease-resisting qualities it had at one time; and experiments that I caused to be made last year have confirmed me in that opinion. Long before anyone could have suspected that there would be a failure in the potato crop this year I had £500 or £600 worth of Champion potatoes brought from Scotland and planted in Donegal. I have reason to believe they were excellent seed potatoes; I have no reason for believing they were planted under worse conditions than ordinarily obtain on the west coast of Ireland; and the failure is, I am informed, as complete as that of any seed which has been planted during the last 10 years in that district. The result of that experiment, the discovery I made of the views of the Donegal farmers, and other circumstances brought to my notice, showed that the Government would take upon themselves a great responsibility if they selected the kind of seed that was to be used by the people. Although I am only too painfully aware of the defects that will attend the administration of the Poor Law Unions in this matter, I was reluctantly driven to the conclusion that we had to fall back upon the machinery of 1880, or some machinery like it. I do not see in his place the hon. and gallant Member for Galway (Colonel Nolan), who has brought in a Bill framed very much on the lines of the Act of 1880. The Bill I have just asked leave to introduce does not differ very materially from the Bill of the hon. and gallant Member. I have no desire to compete with him; he is entitled to credit for his action 10 years ago and now. My Bill differs from his in small details and in two important points, which I will mention. In the Act of 1880, and in the Bill of the hon. and gallant Member, the loan was and is a loan without interest, and, therefore, it amounted to a free gift of the interest during the continuance of the loan. The loan of 1880 was within a few thousands of £600,000; it was £590,000; and the interest on that at 3 per cent. was a gift from the

British taxpayer to the Irish farmer of several thousand pounds. It may be said I am proposing to give a great deal too much from the British taxpayer; but I do not think this free interest on the money lent should be paid out of the Imperial funds. This part of the contribution, I think, should be paid out of the Church surplus, and in the Bill the Church Surplus Fund will be required to pay the interest on this money. In the Bill of the hon. and gallant Member it is assumed that nobody who takes advantage of this loan can pay ready money; but I should hope that in these districts there are some small occupiers who can pay, and I think they should be encouraged to do so. Very few Englishmen, and no Irishmen, would pay ready money when they could get a thing on credit. That will not be interpreted by any Irishman present as an attack on his country. [An hon. MEMBER: Scotland.] Certainly, no Scotchman would do it. If the tenant buys on credit, the interest is lost for two, three, or four years; and if we simply say, "You may pay ready money if you like, but if you do not like you shall have the loan without," of course the tenant will not pay ready money. I propose that if any man chooses to pay ready money he shall obtain the article at 20 per cent. discount. It will be seen that this is not in the nature of a gift, because you save to the Church Surplus Fund the interest that would otherwise be lost, and you save the cost of collection and insurance. There is, therefore, a financial as well as a moral gain in giving some privilege to those who are prepared to pay ready money. I shall further make an endeavour to provide, as far as regulation and inspection can do it, that the abuses which prevailed in 1880 shall not prevail again. The Committee may like to be reminded of some of the malpractices which went on. In many cases no record was kept by the Guardians of the amounts sent to various depôts; no means were devised to check distribution; in many cases the money obtained by Guardians was not distributed; some persons were charged with more than they had received; some who received were not charged at all; there were cases of gross fraud on the part of both Guardians and contractors; and in some cases loans were corruptly used to secure the election of Poor Law Guardians. These are monstrous scandals, and I hope and believe that by the regulations we shall lay down they will be prevented on the present occasion. We have, at all events, this in our favour: that whereas in 1880 the Act was administered under the shadow of an election which was known to be approaching within a month or a few weeks, causing extravagant promises to be made by candidates, and all sorts of extravagant hopes to be entertained by the people, there is no such perturbing cause on the present occasion, and I hope that the experience which has been gained will operate as a salutary preventive against the course of extravagance, and worse than extravagance, which prevailed 10 years ago. I have had prepared by the Irish Agricultural Department, whose services to the Government on this matter have been absolutely invaluable, a Circular on the subject, embodying all the knowledge of that Department with regard to the proper seeds to be used. Without in any way fettering the discretion which Boards of Guardians must exercise for themselves, the Circular will put them in possession of all the facts that experts are acquainted with. I pass to the consideration of a more vital question—how we are to meet the impending distress. I would begin by reminding the Committee, and I hope the Irish public, that I do not propose in any way to interfere with the operation of the ordinary Poor Law. The ordinary Poor Law is still in force, and it is undoubtedly capable of meeting, I will not say all, but a great deal of the distress which is now impending. The latest Returns show that the pressure upon the Poor Law Authorities is not greater than it was this time last year. The outdoor relief, taking Ireland as a whole, or taking even Connaught, has been slightly increased, and the indoor relief has, in some cases, actually diminished. I have heard by telegram to-day that in certain of the more distressed unions the pressure upon the Poor Law is increasing, and I have not the slightest doubt that as the winter advances, and as the people come to take in their stock of potatoes, not only will there be an increased pressure upon the Local Authorities, but the Poor Law Authorities, unaided, will not be able to meet the distress with which we have to deal. What additional means ought this Committee and the House to provide against the distress with which the ordinary Poor Law cannot cope? We have a not inconsiderable body of experience on this subject—experience which, I am afraid, in many cases is fruitful rather in telling us what we ought to avoid than in telling us what we ought to do. In 1879-80, which is an example of the most considerable distress that has occurred in Ireland since the great famine, exclusive of charity, which was largely distributed at that time, the chief means of dealing with the distress was as follow:—There were loans to landlords at very low interest—namely, 1 per cent., which was not to begin until the loan had been running two years. Over £900,000 was advanced in that manner. There were loans to Sanitary Authorities upon the same easy terms, and I believe about £38,000 was advanced in that way. There were loans to the various baronies for baronial improvements on similar terms, and these loans amounted to £270,787. And there was the gift of £45,000 for the construction of piers and harbours. In 1886, again, there was a sum of £20,000 given, also to small piers and harbours. Both in 1879-80 and in 1886 there were some loans and gifts to various Boards of Guardians, and, above all, in both years the rules which normally govern relief in Ireland were relaxed and out-door relief was permitted in Unions in the cases of occupiers of land of more than a quarter of an acre. That being a brief enumeration of the means of relief previously applied, what judgment ought we to pass upon the success which has respectively attended them? The £900,000 advanced in 1879 is, I think, an example which ought not to be followed on this occasion, for two quite separate reasons. First, I do not believe that now, since the Act of 1885, the landlords have been prepared to borrow money at all. Before that Act, which so materially altered the *status* of the landlords, they were no doubt prepared to borrow money in many cases upon these terms, and thereby to afford a great deal of what was, no doubt, valuable assistance to the population. I do not think they would—I am sure they would not—do it now, but even if they were prepared to do it, I do not think that is a convenient method of attempting to supply relief, because the relief does not solely depend upon the degree in which it is required, but depends also upon the willingness and ability of particular landlords to borrow large sums of money, and there is no ground for supposing that the ability and willingness of the landlords to borrow money would be in any direct relation to the amount of distress existing in their districts. I therefore reject that method as not only impossible, but inexpedient. It is, no doubt, possible that loans to baronies might not be open to objections of a similar kind, but they have objections peculiar to themselves. In looking back upon the manner in which the money lent to baronies in 1880 was expended, I find that it too often happened that the persons who benefited by that money were not the poor, not the inexperienced poor who were really in need of employment, but rather small local contractors accustomed to make roads under the county surveyors and under the Grand Juries, and that these small contractors naturally enough gave the money with which they were supplied, not to the able-bodied poor who desired employment, but to their own particular friends and relations. I think that argument is conclusive against employing Baronial Authorities as organs for relieving distress. The loans to Sanitary Authorities—the money spent upon piers and the money spent upon harbours and boat-slips—are open to another objection. That such piers and boat-slips can be, with advantage, constructed in various parts of Ireland I am not prepared to deny—far from it, although an immense amount has already been done in that direction. The objection, I think, is not that these piers and boat-slips are useless, but that they do not employ unskilled labour. The amount of unskilled labour proportionate to the expenditure which can be used upon works of that kind is very trifling, and these works, however useful and expedient they may be, are not fitted to be our mainstay in dealing with impending distress. The only other expedient which I have enumerated, and which has been employed, is a relaxation of the rules governing out-door relief in Ireland, combined with loans and gifts to various Unions; and I say, if experience has proved anything, it has proved absolutely and conclusively that you cannot trust Boards of Guardians in Ireland, under the stress of a calamity of this kind, to administer out-door relief and gifts and loans from this House without gross extravagance, amounting in many cases to scandalous fraud. The experience of 1880 and of 1886 taught one lesson. I do not wish to introduce any controversial element into this speech, and I am very far from desiring to attack the right hon. Gentleman opposite (Mr. J. Morley); but he, of course, is as well aware as I am that the manner in which the five or six Unions distributed the £20,000 free gift of this House in 1886 was perfectly iniquitous, and that in one case there were more persons upon the list for relief than the total number of inhabitants of the Union. I say that that instance alone should warn this House, and warn this Committee, against endeavouring for the third time to repeat this most disastrous experiment, and should induce them to adopt any expedient, however costly to the community, rather than increase the demoralisation which has been produced by this unfortunate measure on previous occasions. I have explained to the Committee what it is I do not mean to do, and why I do not wish to do it. Let me now tell the Committee what it is I hope to do, with their sanction, and how I think it will meet the present crisis. After the Poor Law I rely principally upon the railway works which are about to be constructed. In County Cork there is a line to be constructed from Skibbereen to Baltimore, seven and a half miles, and the Bantry extension, a mile and a half, a short though costly work; in the County of Kerry there are the Headfort to Kenmare, and the Killorglin to Valentia Island lines, respectively 19 miles and 25 miles; in County Galway the Galway to Clifden line, 49 miles; in County Mayo the Westport to Mulrany line, 18 miles, with an extension to Achill of 8 miles; the Ballina to Killala line, eight miles; and works are to be begun on the Coolgreany and Claremorris line, which, if completed, would amount to 48 miles; in Donegal the Donegal and Killybegs line, 18 miles, and the Stranorlar to Glenties line, 24 miles. In addition to the above, which are either constructed under the Act of 1889, or have been begun by the authority of the Government independently of any Act, there are three lines to be constructed, respectively in Clare, Mayo, and Galway and Cork, under the Act of 1883, passed by the right hon. Member for Bridgeton (Sir G. Trevelyan). There is the South Clare line, 26 miles; the Tuam and Claremorris line, 16 miles; and the Donoughmore line, County Cork, eight miles. The total mileage of the lines I have enumerated is no less than 284 miles authorised and about to be begun. But the Committee will ask me, how soon will these lines be available to meet the distress? Unfortunately, I cannot give a perfectly complete answer to that question, but I may say that the Skibbereen and Baltimore line was begun on November 24, and that 300 men are now employed upon it; the Bantry extension will be begun on December 15; the Galway and Clifden line was begun on December 2; the Westport and Mulrany line on December 3; the Achill extension I hope to have in full operation by December 15; the Ballina and Killala on the 8th, and the Claremorris on the 15th of December. With regard to the Donegal and Killybegs line tenders for the earthworks have actually been opened and begun, and the Glenties line contractor informs me that he is ready to commence work at a week's notice. Therefore, there only remains uncertain in the first class of railways I have enumerated the two Kerry lines. With regard to the two Kerry lines, I had the honour of an interview with the Chairman of the Great Southern and Western Railway before I left Ireland. They labour under a technical difficulty which will be removed when the House passes the Bill now before it; but I distinctly understood that, in spite of these technical difficulties, they were prepared to begin the work instantly if the Government were prepared to indemnify them for any loss they might sustain in consequence of not being in a legal position to draw up formal contracts. I thought that the House would sanction any such action on my part, and I certainly understood that with that promise of indemnity they would begin at once. Why they have not done so I cannot say; but the assurances given me by the chairman were such that I have not the slightest doubt that in a very few days work will be begun on these two lines also. It will be seen, therefore, that these 284 miles of railway will be in full operation in a very short period. This, I think, reflects credit on all concerned. I will not dwell upon the exertions of the Government; but it is only fair that I should say that the authorities of these great Railway Companies of Ireland have shown themselves fully alive to the exigencies of the situation. They have felt that they owed something to the community from which they draw their profits; they have done their best to second the efforts of the Government; and though I do not think that any of their officials or shareholders will for a moment suggest that the terms offered by the Government are not such as to secure them from all loss, still no one will be prepared to deny that that depreciates very little, if at all, the credit which they deserve for the energy and public spirit they have shown on this occasion. The criticism which has been passed on these great works as means of relief usually resolves itself into this. Everybody I have talked to in Ireland admits that if people can get work on the railways, it is by far the best way of relief. Everybody, of whatever shade of politics, of whatever profession or religious belief, priest or occupier, agrees that the distribution of charity in 1879 and 1880, and the reckless administration of outdoor relief in 1886, produced a demoralisation, not only in those years themselves, but more or less lasting in its character, and with one consent they all implored me, while asking me to find some method for the relief of the distress, to adopt means which would not demoralise the population concerned. And though all agreed that no method can be chosen less open to such objection than work on the railways, it was said that work on the railways would only be of use to the relatively small portion of the population who live close to the railways. They put it in this way: The man who goes far from home to work on railways would have to pay for lodging and food; and if he gets in wages 12s. or 14s. a week—which, I take it, is the rate that will prevail—he will probably not be able to send back to his family more than 4s. or 5s. a week, if so much. I think that is a valid argument, and I think that these railway works will not produce the benefit which I anticipate, unless provision can be made for lodging the people in the neighbourhood of the works in a manner which will enable them to send home at least 7s. a week. In order to carry out that object, I have corresponded with and seen personally those who will be concerned in the carrying out of the works. I had a long conversation with Mr. Worthington, the well-known Irish contractor, and with an hon. Member of this House, the Member for one of the Divisions of Dublin, who is also a large contractor. I laid before them the views of the Government with regard to feeding and lodging the men, and these and all the other contractors have equally expressed their readiness to come forward and make all the provision that may be required to render these works as useful as possible to the maintenance of the poor population. Therefore, I look forward with some confidence not only to the employment of people in the immediate neighbourhood of the railways, but to the employment of people living at considerable distances. Labourers may be expected to travel at least 10 or 20 miles if at the end of the journey they can be adequately lodged and can send home to their families sufficient to keep them. So much for the main part of my scheme, which depends upon the construction of railways.

MR. MACARTNEY (Antrim, S.): Will the right hon. Gentleman state whether the contractors have been put under any condition as to the employment of the people in the districts

MR. A. J. BALFOUR: I am glad my hon. Friend has asked me that. I have made very particular inquiries in this connection, and I find that not only will the contractors employ the people in the district, but that it is their interest to do so. The arrangements made with the Railway Companies insure that the work which is to be first begun is work on which unskilled labour can be profitably employed, such as embankments and earthworks of different kinds. It has further been arranged that the work shall be begun at a large number of points along the various railways at once, so as to afford the greatest amount of employment to unskilled labour living in the neighbourhood of the lines. But though I look forward with great confidence to these railway works meeting the great bulk of the demand for employment which the failure of potatoes will produce in Ireland, I am perfectly conscious that there are districts and localities where, for various reasons, but chiefly on account of distance, some other mode of dealing with the difficulties is required. I have told the House that the only method by which the railway works can be supplemented is by other relief works; and I have already said that I do not mean to employ Boards of Guardians or baronies, or any County or Local Authorities whatever, in these relief works. If we are to be in any way responsible for meeting this distress, I do not think that it is fair to us or to anyone else that the responsibility should be shared by bodies over which we have no control. I am convinced that money spent through the medium of Local Authorities would not be money spent to the best advantage of the particular population concerned. I have obtained the services of two eminent engineer officers, and I have sent them over those parts of Ireland where I think it possible that relief works may be required. They have made a careful survey under my instructions of what works may, if they be required, be beneficially undertaken. When works are required and are undertaken, I propose that the persons responsible for them shall be those engineers, and under them, possibly, the County Surveyors, not acting as servants of the Grand Jury, but acting as servants of the Government, and I propose that the works shall be attended by members of the corps of Royal Engineers. Under these circumstances, I think we shall be able to absolutely stop anything in the nature of local jobbery and to insure that any expenditure on public works goes to the employment of the unskilled labour that we wish to relieve. I believe that all the evils which have been incident to previous forms of public relief will be by this means avoided. Of course the amount given in wages, either in money or in kind, will be entirely under the control of Government, and, of course, I shall take care that under no circumstances does any relief work interfere with railway work. I shall not allow works to be undertaken where I think that railways will serve the purpose, and I shall stop any relief works which are begun before the railway. I shall also take care that the wages are such that it will be to the labourers' interest to work under the railway contractor rather than on the relief works which may have been started. The Committee will naturally ask what kind of relief works I propose. Any one who has travelled, as I have, and seen, or who has read about the condition of the West of Ireland, is well aware that roads have been constantly undertaken for this and similar purposes. They have not, however, been undertaken, I regret to say, with much judgment. You will constantly see a road leading from nowhere to nowhere, or to some inhospitable bog. These are the memorials and relics of some previous famine, and the memorials also, I am afraid, of the incompetence of some authority which was responsible for the construction of the road. At the same time, though very useless roads have been constructed, road-making does present certain advantages over other forms of relief works, and I have instructed the officers of whom I have spoken to put roads in the very first rank, subject to this condition: that no road should, under any circumstances, be made which a prudent County Authority would not readily vote money to keep up. There is another kind of work which I think in some places might with advantage be adopted even before roads. There are certain districts in Ireland where you see holdings along the lower slopes of mountains or along some line of bog, all of which could be greatly improved by improving the general system of drainage. A common system of drainage is required I believe, and that, I take it, will not only afford labour for which the people are particularly qualified, but, as it will permanently improve the holdings, it will diminish the possibility of a recurrence of famine. There was a form of relief, very like this, which was much pressed upon me when I was in Ireland. I was recommended to pay the occupiers wages for improving their holdings; but I cannot recommend this course to the Committee. One of the most melancholy facts which strike anyone who looks at these holdings in the West of Ireland is that the occupiers have ample leisure in the winter to carry out improvements of the most obvious kind; but year after year elapses, and the improvements are not made. To come forward in years of distress, and say, "I will pay you to do that which you ought to have done years ago," is the worst lesson which you can possibly teach. So much for the roads and main drains, which will form the staple of such relief works as may be required. There are two other forms of relief work which I think may be attempted in a tentative fashion—I mean the reclamation of land and afforesting. I need hardly say that I do not believe there are huge tracts in Ireland which only require large sums to be spent upon them in order to become extremely profitable investments. I am sceptical about that, but I think that where there are in the immediate neighbourhood of existing holdings tracts of bog precisely of the character of the soil out of which these holdings were originally carved it might be advantageous as an experiment to carry out the drainage, sub-soiling, and other operations which are necessary as a preliminary to cultivating the soil. What should be done with the land so obtained is a difficult question, but my own impression is that it should be handed over to the Congested Districts Board, which I hope is to be constituted by the Bill now before the House; and it is worth considering how far it might not be worth while for that Board to let out the land so reclaimed on short leases to the occupiers of existing holdings under the most stringent conditions of cultivation. I admit that the experiment is a rash one. I think it is possible, if those occupiers were allowed to use this land under conditions of cultivation which would oblige them to see by experiment how very badly they now cultivate their holdings, something might be done in a practical manner to improve the condition of these people. I admit that the matter is one of great difficulty, and I am not at all competent to decide it; but it is a matter which I think the Congested Districts Board would be eminently qualified to deal with. With regard to forests, it is a matter of universal complaint that the result of recent events in Ireland has been to denude it of timber. There are two distinct sets of causes tending in the same direction. One is that the landlords, to whom residence is not always made agreeable in Ireland, are anxious to turn into money that timber which they are perfectly prepared in more fortunate circumstances to leave on the land. The other is that the new purchasers under the Ashbourne Act, and, I fear, under the Bill now before the House, always set to work to cut down timber on the holdings as soon as the control of the landlord is removed. I believe there are tracts of Ireland well suited, but almost useless now, for afforesting. At all events, all the preliminary operations of afforesting—such as draining, and turf fencing, and so forth—are operations with which the Irish peasant is very familiar, and which apply just as much to the class of operation most suited for relief works. I hope I have explained adequately to the House the general line I propose to take. The right hon. Gentleman the Member for Newcastle asks me who will direct the reclamations. I ought to repeat and supplement the observations which I have already made on the method which I propose for the control of the works. Practically, what I have done is to create a small department for dealing with those reclamation works. The person responsible to the House and otherwise will be myself, but the engineer officers will be under me. They will have the expert assistance of members of the Land Commission wherever required, and they will have such clerical assistance as the occasion warrants. They will carry out all the relief works which I think are required. I am conscious that this statement of mine will bring down upon my head from every part of Ireland loud and persistent demands for works to be started. But all I can say is, that I shall do my best not to start any relief work where it is not required. I shall do my best to sift all those stories of misery and distress which are too easily fabricated on the spot and too easily believed outside. I must ask the House to support me as well as they can both in carrying out the works which I have undertaken and in not carrying out the works for which I do not believe adequate necessity exists. I shall possibly be asked by some gentlemen below the Gangway, and perhaps above it, why it is that the Government propose to do for the West of Ireland what they never have done as yet, and what certainly they would decline to do, as far as I know, for any other part, broadly speaking, of the United Kingdom. The first answer I have to make is that, though the congested districts have never been treated precisely in this way, they have already been treated on many occasions in an exceptional way, and I maintain that the exceptional method of treatment which I now recommend is less open to criticism here and to abuse in Ireland than any of the various exceptional experiments which have preceded it. But I think there is something more to be said. If I am asked why I am prepared to recommend relief works in Ireland when I am not prepared to recommend relief works in London, I say that not merely has Ireland been always treated exceptionally, but, as a matter of fact, its condition is exceptional. The Poor Law in London always has been, and I trust always may be, adequate to the necessities of London; but nobody who knows anything about these western districts can say or pretend that the resources of the Poor Law in Ireland are adequate to meet a crisis like the present. There is no rich population in these electoral divisions. The population of these electoral divisions which bear the main weight of the Poor Law taxation consist wholly and solely of the small occupiers whom we have to relieve, and to ask them to come forward and pay out of their own pockets the means for relieving their own exceptional distress is obviously impossible. But there is another and even a deeper reason. My own firm conviction is that to meet any temporary need which unskilled labour in London might have for employment by starting Government relief works would be found to permanently aggravate the evil which it is intended to meet. Such temporary want of employment results from the discrepancy between the supply and the demand of labour; and I believe the relations between the demand and supply of labour would be still further dislocated if on such an occasion the Government were to step in and provide relief works for London, and London would be not more but far less capable of meeting the stress that was laid upon it if the Government were to adopt any policy of that kind. That is not the case, I believe, in the congested districts. I believe the large amounts, either in the form of railway or other works, which this House will be asked to give for the aid of the congested districts will render those districts not more but less liable to a recurrence of the same class of distress. I believe that the making of those railways and roads, especially railways, will do much to act as a permanent remedy against the evil which we have to deal with to-day. If you were to make large contributions for relief works in London you would demoralise the district; in Ireland if you do not have relief works what do you do? You throw a burden on the locality which it cannot bear. You lend it money which it cannot pay back; and it will sink deeper and deeper in the demoralising slough of insolvency which already has almost destroyed the powers of self-help in the poorer and congested parts of the country. I cannot conclude without, as far as in me lies, imploring every man who hears me and who has anything to do with Ireland to face the real difficulties of this problem. It is too much the habit of those living in the West of Ireland to say, "Get us over this year's distress, and perhaps all will be well." All will not be well if that habit of mind continues to prevail. This House has been asked to make an immense effort for those congested districts; they must make an effort for themselves. The priests and the leaders of the people must put their shoulder to the wheel. They must recognise that if when the next time of distress comes—as most infallibly it will come—they come to this House and say, "Four or five years ago you helped us, and we have done nothing in the meanwhile to help ourselves; the population has not diminished; it has, perhaps, somewhat increased; the fishing is very much where it was; the mode of cultivation of the holdings is such as has prevailed for the last 100 years," Parliament will begin to feel that the condition of those districts is not merely deplorable, but almost hopeless. I think that the people of Ireland are capable of learning a lesson. The years 1880 and 1886 have already taught priests and people alike the demoralising effect of lavish expenditure, either in the way of charity or outdoor relief. Let them learn the further lesson that the population which remains in these districts can only be prosperous if they cultivate the land better, if they fish better, if they use to the best of their ability such resources as are placed at their disposal, and that there are districts for which no mere improvements in the methods of agriculture, no better system of fishing can be sufficient, and which can only be dealt with adequately by emigration and migration. If they set themselves to deal with each district as the circumstances of the district require, by attempting to collect the fishing population around the good harbours and the best fishing grounds, to help them to improved methods of agriculture, and lead them to see that it is impossible they should prosper if crowded on the soil; if they will do that, I am convinced this House will never regret the money which I am asking it to spend as a beginning. A substantial and important beginning may at last be made to take these people out of this hopeless slough of insolvency; and, if that be so, we may feel that this period of distress, this year 1890, may be the beginning of a period in which the people may march steadily forward to that condition of prosperity, and, above all, of independence, which every true well-wisher of Ireland desires to see them attain.

(5.33.) MR. J. MORLEY (Newcastle-upon-Tyne): I entirely agree with the right hon. Gentleman in wishing to eliminate from the very few observations with which I shall trouble the Committee anything of a controversial character. The right hon. Gentleman has avoided that tone, and I am sure that everyone who considers the deplorable state of these districts will feel we are bound to lay aside every trace of Party spirit. So far as regards the remark of the right hon. Gentleman that experience has taught us the hopelessness of the methods hitherto resorted to, everybody who has studied the history of these districts and of the Relief Act of 1886 must agree as to the incapacity shown by the Boards of Guardians in administering the relief funds. But I may say, as the Minister responsible for that Act, that there did not appear at the time any particular reason for setting aside the machinery of local administration, and I was advised that it would be too serious a step to take if I were to supersede it. We have had that painful lesson, the advantage of which the right hon. Gentleman now possesses. Therefore I am bound to say, reluctant as I am on any occasion, or under any circumstances, to set aside the functions of an Elective Local Body, that the right hon. Gentleman has adopted the right course on the present occasion in taking the administration of these works into his own hands. I understand from the right hon. Gentleman that the works are not to be carried out under the supervision of the Board of Works, but under his own control. [Mr. A. J. BALFOUR: Yes.] The right hon. Gentleman has not told us what is to be the total expenditure, and I think it is only fair before giving him the £5,000 he asks for to-night that we should know what is to be the total expenditure on all these various and, I should think, very costly operations which he has outlined.

MR. A. J. BALFOUR: I deliberately asked for the nominal sum of £5,000, because it is really impossible at this stage of the matter to make any forecast. It is difficult—I am afraid in the case of the railways it is impossible—at this moment to make a forecast; but I shall in January, when I shall ask for the necessary funds, be in a far better position to tell how the matter stands. I would venture to point out to the Committee that if I were to name a sum now I should be more than ever a prey to that kind of begging which Public Bodies resort to. I hope, therefore, the right hon. Gentleman will not press me to give any amount.

MR. J. MORLEY: Of course, after what he has said I will not press the right hon. Gentleman, but I am bound to point out in passing that his policy is committing Parliament to what may prove a very serious expenditure. I will say frankly that I agree with much that fell from the right hon. Gentleman in the latter part of his observations as to the duty we owe those districts and as to the exceptional and deplorable state in which they are sunk, and as to the obligation which lies on this House to make what I may call a dead lift to get them out of their degraded position. But Parliament ought to be prepared for facing a very large expenditure, and, though I would not grudge it, I should not be surprised if the right hon. Gentleman hears, when the country sees how much will be wanted, a good deal of murmuring from a good many quarters, and not merely on this side of the House. As to his railway policy, the right hon. Gentleman seems to pay some rather undeserved compliments to the public spirit of the Railway Companies. This is not the occasion on which to go into the terms of the transactions made by the Government with the companies; but when that occasion comes, I think it will be found that the Great Southern and Western and the Midland Great Western Companies have made no bad bargains for themselves, but very good bargains. I gather from the remarks addressed by the Chairman of the Midland Great Western Railway, a couple of months ago, to his shareholders, that he congratulated the shareholders on the terms he had succeeded, in their interest, in extracting from the Government. I, therefore, demur to the compliments which the right hon. Gentleman paid to the Railway Companies. I regard the transaction between the Government and the companies as a purely business one, and I am not sure that the Government have not paid a very heavy price for the advantages they have gained. That, however, we shall have an opportunity of examining later on. As to the immediate relief of the distress, the right hon. Gentleman, in answer to an objection that the railway works would not go through the most distressed districts, though they would go through districts where there was a great deal of distress, said that it would be the interest of the contractors to employ the labour of the districts. I was in the districts before the right hon. Gentleman himself, and I heard experts doubt that proposition. They said that it would be the interest of the contractors to get very powerful navvies from other places, and even from England and Scotland, because the population on the spot would not be efficient enough to carry out the heavy work of railway construction. The right hon. Gentleman is no doubt aware that this is a danger which might thwart his object.

Mr. A. J. BALFOUR: Actual experience is on my side. There have been railways constructed in such districts, and I am informed that the contractors have employed local labour.

Mr. J. MORLEY: I hope sincerely that that will be so. There is another point as to the construction of railways as a method of relieving distress. Of course, there is, as the right hon. Gentleman says, a great difference of opinion as to the route to be taken by some of the railways. For example, in the case of the railway from Clifden to Galway it is a matter of great controversy whether it would not be much better, from the point of view of distress at all events, to take the line by the coast. The other plans which the right hon. Gentleman resorts to are road-making, drainage, reclamation, and afforesting. With regard to road-making, I agree with the right hon. Gentleman. Everybody with the most superficial acquaintance with Ireland must be aware that there were numbers of roads started in the famine times and in 1880 which began nowhere in particular and led nowhere. In 1886 there were some very good roads made, and I believe we got value for our money. But there is no form of relief which leads to so much make-belief work. A man may pretend to be making a road, and, in fact, be only pleasantly idle. Experience proves that to be the case, and, therefore, I am not at all sure there may not be in this road-making, if not carefully and vigilantly supervised, as much fraud and corruption as there was under some of the provisions of the Act of 1886. As to reclamation and afforesting, I thoroughly applaud the right hon. Gentleman for being willing to try the experiment. I am not going into controversy, but we should have more hope from this experiment if undertaken and carried on by a Local Body. I do not mean Boards of Guardians or such Boards, but a Local Government Body, an Irish body. The right hon. Gentlemen referred to the importance of enlisting on his side in the administration of his Act the priests and the leaders of the people. I would rather that the priests and leaders of the people, politicans, everybody of authority and with a large and perfect knowledge of the district, should indicate the line of the experiment, than that it should come, as I presume it will, partly from the right hon. Gentleman's own ingenuity, and partly also from the Boards in Dublin Castle. There is less chance of flexibility and originality in the way of making experiments when conducted by the right hon. Gentleman than if you had a Congested District Board which would be really representative and had on its side the whole local interest, and the whole of the local sympathy. I only want to make one proviso with reference to these experiments. From my own study of this question I doubt very much whether reclamation taken in hand by the Government on a large scale can be a remunerative experiment. I think you will sink a great deal of money, and in the end get a very small return for it. The great instance of reclamation, of course, is Kylemore, but even in that case it has been doubted whether the reclamations have not involved a heavy money loss. It is said also that some of that reclaimed land is going back, that rushes are appearing, and so forth. The lesson to be learnt, I take it, is that reclamation to be carried out remuneratively and safely should be undertaken by the small men themselves. I understand that the Government are to hand over these reclaimed lands on short leases to the people already occupying them. My own notion of reclamation would rather be to give to a small man a piece of bog land to reclaim. He would be more likely to do the work cheaply and effectively. I fear that the experience we have of reclamation on a large scale shows it to be a very losing enterprise. I wish to make one bargain with the right hon. Gentleman, that if he begins these experiments they shall be finished. The curse of Irish experiments is too often this; an experiment is begun to tide over some temporary distress, and as soon as the distress has passed, or the Minister initiating the experiment goes out of office, it is dropped and the money spent upon it is absolutely lost and wasted. I hope to get from the right hon. Gentleman an undertaking that so far as in him lies these experiments of reclamation and afforesting shall not be taken up simply to enable us to get out of the difficulties of to-day, but that they shall be serious works undertaken with a serious view of doing permanent good to the unfortunate people in these poor districts. [Mr. A. J. BALFOUR: Hear, hear!] With respect to the railway policy of the right hon. Gentleman I reserve the right of criticising its details. As for the seed provisions, I think the right hon. Gentleman is again on the right line. The provision for 20 per cent. discount on ready money transactions is a most sensible provision. I agree with the right hon. Gentleman most cordially in thinking that the great thing is to teach the people of these districts that they must depend upon themselves. But when the right hon. Gentleman was speaking in that sense I asked myself—Has not every Minister who has brought in a Relief Bill for Ireland said exactly the same thing? I am sure I need not make an exception. I am sure that I did myself, and I doubt whether any one Chief Secretary has ever made a proposal to give money to Ireland for the congested districts or elsewhere without speaking in the sense in which the right hon. Gentleman has spoken. I fail to see what element there is in the project of the right hon. Gentleman that is likely to make these people more self-reliant. Everything is done for them. The only lesson they can learn—and I admit it was also so in regard to my Bill of 1881—is that when they get into trouble, whether in consequence of their own improvidence or not—although one does not like to speak of improvidence in the case of men who live under such conditions as those in the West of Ireland—this Parliament is sure to come to their relief. I would give much to get that notion extirpated from the minds of the Irish peasantry. But to accomplish this you would have to adopt far wider measures; you would have to put the responsibility of dealing with this intricate, this inveterate problem upon Irishmen themselves, and without official supervision. Whatever we may think as to the sources of the difficulties in the congested districts, we must all recognise that a state of things that has grown up in 200 years cannot certainly be cured at once. You will want 30, 40, or 50 years before you can make even an impression upon this difficult problem, and although we must accept the Bill of the right hon. Gentleman as a means of tiding over a pressing emergency, I hope he will not allow himself to be led into the belief that anything can make a real impression upon these districts except a long, persistent, continuous course of action on the part of a Congested District Board, or similar organisation, having enlisted on its side the whole local feeling of a district, and commanding, in the performance of its work, the co-operation of the best brains in the district.

(5.54.) COLONEL NOLAN (Galway, N.): The advice given by the right hon. Gentleman is extremely good. I hope we shall have self-reliance in the West of Ireland, and that the people of the districts will be assisted by the men of brains, but just at present it is not so much a theoretic virtue that is wanted as a little practical help. Whenever I hear this talk of self-reliance I cannot help thinking that if you would give us the produce of the Licence Duties and let us cultivate our own tobacco, we should be able to help ourselves. I am very sorry to say that I was engaged in much more disagreeable work upstairs when the Chief Secretary was speaking, and therefore I was unable to hear all the right hon. Gentleman's remarks. I believe he has said the provisions of the Bill will include all the West of Ireland, and I believe the measure will be a great success. It is, in my opinion, perfectly fair to pay interest on the money out of the Church Fund. On the last occasion when a scheme of this kind was carried out, we were able to say that we paid all the money back, and in the present case we shall be able to say the same thing. I think we may congratulate the right hon. Gentleman on having done a great deal to tide over the time of distress.

*(5.56.) SIR J. COLOMB (Tower Hamlets, Bow, &c.): All must acknowledge the admirable tone adopted by the right hon. Gentleman the Member for Newcastle in his speech, and I myself noticed with regret that the Nationalist Party were not present to hear the exposition of the Chief Secretary of the scheme, and that they are not here now to take part in the discussion. I do not share the apprehensions of the right hon. Gentleman the Member for Newcastle (Mr. J. Morley) with regard to the absolute certainty, as he regarded it, that the local populations will not be employed in the construction of these works. That may be the case in some districts, but I do not think it will be universally so. I believe the very fact that so many lines of railway will be constructed simultaneously by contractors will prove that there is not a sufficient number of ordinary navvies available to do all the work. It will be more economical to employ the local population in the preliminary labour on the lines. It is satisfactory to find the right hon. Gentleman the Member for Newcastle accepting the plan of my right hon. Friend with regard to taking these exceptional matters of relief out of the hands of the Board of Guardians. In the absence of the Nationalist Party I should like to say that, according to the evidence placed in our hands by the Colonisation Committee, I think we may claim that the hon. Member for Cork (Mr. Parnell) himself will approve of the action of the Chief Secretary in not trusting Boards of Guardians in this matter. Speaking in regard to the relief of the congested districts by emigration and migration, I find the following passage in the evidence of the hon. Member for Cork (Question No. 5656 in the Report of the Colonisation Committee):—

> "Q. Then I understand you would not take the opinion of Boards of Guardians as indicating local opinion in Ireland?—A. Certainly not."

Therefore, I think we are all united in approving of contributions from the Exchequer towards relief by means of work other than railways directly through a Government Department. Just one more matter I should like to mention. One of the dangers in the congested districts and throughout Ireland is the habit that tenants are universally getting into of cutting down the timber and shelter on their farms. I can go further than the Chief Secretary. He says that tenants who have purchased do this, but I can answer from my own observation that one of the effects of the Act of 1881 in districts bordering on the Atlantic is that the tenants imagine that other changes beside alteration of rents have flowed from that Act, and the destruction of timber and even of hedges is remarkable, and has already produced evil consequences, and will have disastrous consequences on agricultural prospects in the future. I would say, therefore, in regard to experiments in re-foresting, that they should be gradually undertaken, and not pushed too far. The Chief Secretary has paid a great compliment to the Grand Trunk Line

Railway Companies in Ireland, but knowing something of the work done by others, I think it my duty on behalf of the inhabitants of a remote district of Kerry, as the representative of that district is not present, to say that we in that district appreciate the unsparing exertions of the Chief Secretary himself and of the Secretary to the Treasury. I had the opportunity of knowing that while we were taking our holidays the Chief Secretary and the Secretary to the Treasury sacrificed their holidays to this object. I can say that the Secretary to the Treasury from first to last spared no personal exertions to get this work thoroughly and quickly done. I think it only right to say this, and I think I may say it for the poor people of the district not now represented here. We cordially thank both these right hon. Gentlemen for their personal exertions to carry through these railway schemes.

*(6.3.) MR. BRADLAUGH (Northampton): I listened with close attention to the speech of the Chief Secretary, and I am sure the Committee agree with me that the right hon. Gentleman, having a most difficult task to undertake, has devoted himself to it with an enormous amount of application; and if I venture, as I shall venture, to offer one or two words before I sit down that may not seem to be quite words of gratitude, he must not think that I at all undervalue the difficulties of the work he has undertaken and the troubles he has had to contend with. He has not only had the difficulties of what he has told us, but he has the difficulty of the long habits of the people, which he has to some extent to endeavour to change, if he can, if any permanent good is to be produced. I wish it had been possible, though I agree it would be difficult, for the Chief Secretary to have told the Committee some amount beyond which Parliament was not being committed by the Vote the Committee is asked to give on this Estimate, because, although the Estimate is only for a very trifling sum, the Chief Secretary does not disguise that he is asking the sanction of Parliament, through this Committee, to the whole of the scheme he is putting forward; therefore the decision, whatever it may be, is a decision of the very gravest character. I am not sure whether for the moment it was wise, although I am quite sure that for the future it was frank, for the Chief Secretary to say that he might subject himself to the criticisms of those who have in view distress in other parts of the United Kingdom, who might ask the Government, "Why do you not deal with all instances as you are proposing to deal with this?" To that, I admit, it is difficult to give an answer, but the answer the right hon. Gentleman gave hardly, I think, did credit to the rest of his speech. All the answer he made was that the circumstances were exceptional. [Mr. A. J. BALFOUR expressed dissent.] I am sure on this question I have no wish to strain one word used by the right hon. Gentleman beyond the meaning that may fairly be attached to it. I listened attentively and with intense pleasure to the speech as an effort to do some good to the unfortunate country without reference to political divisions.

MR. A. J. BALFOUR: I am quite sure the hon. Member does not mean to misrepresent what I said. It is true I stated that the circumstances in Ireland being exceptional are treated in an exceptional manner, but I also dwelt at some length on the fact that, whilst the treatment we are giving to Ireland would, as applied to London, aggravate the evils in London, in Ireland it would have the effect of preventing a recurrence of those evils.

*MR. BRADLAUGH: I was coming to that portion of the right hon. Gentleman's speech. I would put it to him whether he himself did not rather cut the ground from under his own feet? He showed that effort after effort had been repeated in Ireland, each provocative of demoralisation there rather than tending to encourage self-reliance. ["No."] The hon. and gallant Member (Colonel Nolan) disagrees, but I am only repeating what the Chief Secretary said, not expressing my own opinion, as now I am going to do, nor do I expect him to agree in what I am going to urge. What are the grounds for supposing that this scheme will be more effectual in developing self-reliance than any other to which Parliament has consented? I frankly concede that my opposition to the right hon. Gentleman is weighted with the same difficulty which attended his speech. It is clear there is distress which ought not to be ignored, and, therefore, in dealing with the subject now, one cannot argue from any theory; but we must deal with the existing state of things as best we can. In some of the right hon. Gentleman's proposals I feel great interest, and particularly I followed that part of his speech in which he spoke of dealing with waste lands, because on more than one occasion I have ineffectually submitted propositions to the House on the subject. I gathered, though the explanation was incomplete, that the Government propose to acquire the lands and reclaim them. Does not this at the very onset make a difficulty which I will try to put to the right hon. Gentleman? It is not the encouragement of individual effort assisted by the State, even, perhaps, with great risk of loss, or even certainty of loss, but still with an incentive to the individual to do his best with gain to his interests if he succeeds and responsibility if he fails, if the experiment is to be confined to giving employment for some 12s. or 14s. a week, with nothing to tempt him to put in more than make-believe exertions sufficient to secure subsistence for the moment. It does seem to me, however, that reclamation efforts might tend, as I believe they would tend, to find some employment which should develop the individual effort, but if the Government is to acquire the land, the thing is upside down, so far as that is concerned, and it is simply a relief measure from which all incentive to special action is entirely eliminated. I would urge on the right hon. Gentleman that, as this is only put forward as an experiment, the experiment should be made as far as possible for the encouragement of individual effort. The Chief Secretary says the Irish are capable people, and I think they are. I think that, taken out of the conditions of life which hamper them, and habits which hinder them, they have in different parts of the world given evidence of capability. I admit it would not be possible to press the individual to make such great exertions, surrounded as he would be by conditions which incapacitate him at home; still if the effort is to be made at all, I appeal to the right hon. Gentleman to make it in some such fashion if he can as will give reward to the individual who strives best. I am without information on the subject. I disagree with the right hon. Gentleman, and think that the evidence given before the Duke of Richmond's Commission shows large quantities of land, large tracts here and there, and small tracts here and there—I do not wish to take the most exaggerated statements of witnesses—large quantities of land capable of reclamation, on which efforts at successful reclamation have been made, and have only broken down because the persons trying to reclaim the land found that the landlord exacted higher rent for the improved quality given to the land. Now, is it possible, instead of the Government buying the land, or of the Government acquiring it, is it possible to let the individual on to it in connection with the work of reclamation on such terms as will hold out expectation of his becoming the proprietor of the land reclaimed? I do not know whether it is possible. I admit the great responsibility upon a Member who meets with objection what was throughout a careful presentment without some better means of information, but it is scarcely my fault. This Supplementary Estimate—I do not blame the Government for it—comes upon us by surprise, and I must plead that as an excuse for the non-efficiency of fact to support the case I am submitting. I fear that a great deal of the argument used by the right hon. Gentleman to-night will come against the Government of which he is a Member during the coming Session in different forms; and unless he can separate his measure from being one of pure relief and charity, unless he imports into it something of the development of self-reliance of which he has spoken, he will lay himself and his Government open to attacks difficult to answer. If the circumstances of the Irish people are exceptional, so are those of the people of this vast Metropolis, so are the aggravations of the evils in connection with congestion of population such as exist in other parts of the country, exceptional. It is a matter upon which I look with considerable apprehension, not wishing in any way to hamper the Government in the experiment they are making. If an error is committed, at least it is pacific in character; I do not in any way desire to hinder the experiment, and am willing to assist in making it successful, but I listened throughout to the speech of the right hon. Gentleman, and I see no reason why in 1895 or 1896 a Minister should not come to the House of Commons, and present a case again, showing quite the same features, making quite the same claim upon the country.

*(6.20.) MR. T. W. RUSSELL (Tyrone, S.): I am not going to enter into the question whether these unfortunate people in the West of Ireland are to be made more self-reliant. Homilies are all very well in their way, but they are not very useful to hungry people. The Committee are face to face with the fact that a large area of Western Ireland is in danger of destitution and want. After journeying from Skibbereen to Gweedore last month I am convinced that in many districts through which I passed the inhabitants will not have a potato left on New Year's Day. It is of very little use talking about the people being more self-reliant. It is of no use saying they should develop their fisheries when they are without the means of providing nets and boats, and have no railway to send their fish to market when caught. In the present condition of things homilies on self-reliance is not the treatment we expect from the Government and the Committee. I greatly regret that the statement of the Chief Secretary has been made in the absence of so many of the Representatives of Ireland. It is a more important statement than any that have been made in recent Sessions of Parliament. Upon that statement I wish to ask one or two questions. I entirely approve of the proposal as to seed potatoes. I think this is the most valuable help that can be given to the people. I wish to ask the right hon. Gentleman over what area the relief is to be spread, and whether he proposes to schedule special districts. I think the area ought to be well considered, and resolutely adhered to. He will probably be pressed for a larger area of population than he has in his mind. With regard to the districts affected by the railways my mind is quite easy. I have travelled through those districts, and only wish that my hon. Friend the Member for Sunderland had been with me. That hon. Gentleman did his best last Session to prevent the passing of the Light Railways Bill; but I found the people in the districts blessing the House of Commons for having frustrated the designs of the hon. Member. I am quite easy in my mind, so far as the districts are concerned in which railway operations will be carried on, but I am not quite at ease in regard to other districts. So far as the districts of Westport and Ballina are concerned I apprehend no danger, for railway work will be carried on there. But does the Chief Secretary know the districts of Swinford and Foxford——

MR. A. J. BALFOUR: Perhaps my hon. Friend will allow me to say that I stated, though it was in the middle of a catalogue of railways, and thus, perhaps, escaped his notice, that we have, without the powers conferred under the Act, promoted a railway to the North, and work will be started at once through the district he is alluding to.

*MR. T. W. RUSSELL: I am glad to hear that; it escaped my notice. Above all others the Swinford district needs relief. The contractors for the railway should be called upon to erect huts for labourers. If that were done I do not see why men who migrate in large numbers every year to Great Britain for the harvest should not go 20 miles for railway work. A man who will not do that will not require much sympathy from the House of Commons. There are several other points I should like to mention. Unfortunately there are a very large number of old people in these western districts. The young people have left the country, leaving the old people behind, people who are not fit for work on a railway, many of them not fit for work at all. The Chief Secretary has said to-night that he has made up his mind not to allow the Poor Law Rules to be relaxed. I know the danger that follows such relaxation, how it is open to abuse, but from what I have seen of the old people in the Island of Achill and elsewhere I do not believe that two months hence the right hon. Gentleman will be able to maintain his determination. There are parts of the country near which no line of railway is to go. Judging from the strip of the country through which I passed in the County of Leitrim the potatoes are worse there than in any other part, except, perhaps, in West Cork, but no railway is to go near Leitrim. What does the Chief Secretary propose with regard to such districts? I doubt if any railway is to go through the part of Sligo which will feel the pinch of the potato failure. What does the Chief Secretary propose? His first idea is the making of roads. Now, if there is one form of relief I distrust, and that I think has lamentably failed every time it has been put into operation, it is the making of roads. What is the use of making roads if, when they are made, the county is not to maintain them? I passed over miles of such roads, and continually had to take to the bog because the roads were impassable. They had been made during previous periods of distress, they led nowhere, they started from nowhere, and nobody took the slightest care of them when made—nobody supplied a barrowful of stones to repair them; the money spent on the construction was wasted. Now these roads were all made under supervision.

Mr. A. J. BALFOUR: Whose?

*Mr. T. W. RUSSELL: I suppose under the supervision of previous Chief Secretaries.

An hon. Member: The Board of Works.

*Mr. T. W. RUSSELL: Well, I do not know. But no money should be expended on making roads without careful supervision being exercised. One part of the speech of the right hon. Gentleman I heard with regret. I had some hope, when he came to the question of drainage, he would touch upon a point I heard a great deal about in the West of Ireland, and upon which I think money might be judiciously spent. Instead of road-making, and even main drainage, I should have preferred an extension of the Loans Clauses of the Act of 1881, under which tenants can borrow money for the improvement of their holdings. I should have preferred that small holders under £10 or £12 valuation should have been allowed loans at a low rate of interest for draining operations. These are a necessity. In many places you may take a handful of earth and almost wring the water out of it. This would be a good substitute for road-making. By this means the people would be kept from want, the land would be improved, and the Government would get the money back. I offer these criticisms in no hostile spirit to the proposals of the Chief Secretary. In the main, I think them of the greatest value, and they will be received in Ireland with the greatest pleasure. Everything depends on supervision, and if the plans are worked out with spirit and care they will meet the present crisis and be permanently useful in the future.

(6.28.) Mr. COX (Clare, E.): I am very glad to say that for once in my life I find myself thoroughly in accord with the hon. Member for South Tyrone. I regret that with other Irish Members I was not here to listen to what I am informed was a very liberal and able statement of the Chief Secretary upon the distress in Ireland. I regret it the more for my own part because the right hon. Gentleman touched upon subjects in which I am particularly interested. I rise now rather to ask a question or two for the sake of information than to criticise the details of the scheme laid before the Committee by the right hon. Gentleman, but with which I am but imperfectly acquainted. I join with the hon. Member for South Tyrone in asking the Chief Secretary to give us some definition of the proposed scheduled areas; this is information in which my own constituents have an interest. I deprecate the road-making proposal. I have had practical experience of the working of Relief Acts in Ireland. In 1879 I was Secretary to a Baronial Committee for the purpose of carrying out works under the Relief Act of that year, but the Committee were greatly hampered in their operations. We had practically nothing to do but to make roads and embankments to the roads. I agree with the hon. Member for South Tyrone that many of the roads lead to no place, and are of no use to the people now they are completed. Within a couple of months of their construction grass was growing over the roads. To give the people employment and keep them from starvation we had to construct roads, because, by Act of Parliament, we were prevented from engaging in more useful works. I appeal to the Chief Secretary to abandon the idea of making roads, at least to some extent, and do something in the way of drainage.

Mr. A. J. BALFOUR: The hon. Member would have been at greater advantage if he had heard my speech. He is making recommendations which I think he would not have made if he had heard what I said.

MR. COX: I put a question to-day to the Secretary to the Treasury (Mr. Jackson) with reference to the Scarriff River, County Clare. In 1879 it was proposed to drain the river, and the sum of £32,000 was voted for the purpose. All the preliminary surveys were approved by the Board of Works, but it was necessary to form a Drainage Board. For one reason or another the people refused to form the Board. Thousands of acres of land are flooded every year and rendered good for nothing. I am happy to say that in the Recess I was able to gather in Scarriff all the representative men in the district—priests, landlords, land agents, occupiers, and nationalists. We had a most harmonious meeting, and adopted resolutions copies of which were sent to the Chief Secretary. I have now to ask the right hon. Gentleman to give careful consideration to the unanimous request made by the people, of all shades of opinion, in that particular part of the country; that request is, that a Drainage Board will be constituted and an enormous drainage scheme at once commenced. I understand that Colonel Turner, Resident Magistrate, is now making inquiries in Clare as to the advisability of reproductive works. I ask that he be instructed to inquire into the need of the drainage of the Scarriff River. The people do not ask for charity, but that they may be permitted to borrow money from the Board of Works or the Treasury—of course at a small rate of interest—so that they can proceed with this work, which will be useful, permanent, and reproductive.

*(6.34.) MR. MACARTNEY: I recognise that this is not a very convenient time to criticise at any length the extremely able statement made by the Chief Secretary, but there are one or two points in regard to which I desire to say a word or two. In respect of the method of distributing seed, I understand it only differs from previous methods in that it offers as an inducement to a part of the population to purchase seed for cash payments at a reduction of 20 per cent. It is upon that method I find my opinion somewhat at variance with the view of the Government. I admit that my experience of the congested portion of Ireland is confined to Donegal, but in that county I find the opinion of all classes of the people is absolutely opposed to the distribution of seed potatoes upon the methods that have previously been adopted. One farmer, who has had a great deal to do with the distribution of seed in his Poor Law Division, has told me it would be far better not to distribute a single seed potato than to employ the method adopted in previous years. Great difficulty surrounds the question, and I by no means wish to say my opinion or the opinion of the people in Donegal is absolutely right and ought to be adopted universally, but the Donegal people express their view so strongly that I am perfectly convinced that if the distribution of seed potatoes takes place upon any other system than that of cash payments on the spot, the idea of educating the people of the congested districts out of their dependence on public charity will not be realised. It may be said there are portions of the population in congested districts who are utterly unable to make a cash payment. I quite admit that that is so, but I meet it by saying that such cases represent—certainly in County Donegal—an infinitesimal proportion of those who require seed for next year, and that it will be perfectly easy to pick out the cases in which it would be preferable to give an absolutely free distribution of seed potatoes from those in which payment ought to be demanded. Then I desire to know whether any conditions have been placed on the contractors with regard to the employment of the local labour in the congested districts? The Chief Secretary said that no absolute condition has been imposed, but that in some recent experiment the contractor has employed local labour. I do not think it would be right for the House, and I certainly do not think it would be safe for the Irish Government, to leave this matter absolutely free to the good intentions of a railway contractor. It is possible that in one district the advantages of employing almost entirely local labour may be so great that a contractor will be forced to do so; but I doubt very much, especially in County Donegal, whether contractors will employ a certain proportion of local labour unless they are placed under stringent conditions to do so. They may find it better for them to employ labour which has always

been employed on light railways in Ireland—that is, skilled labour, as against labour that has never been employed on railway works. I feel so strongly on this point that when the proper time comes I shall invite the House to insert some provision in the Bill which will preclude a contractor from making such excuses as will enable him to avoid the employment of a due proportion of local labour. I understand certain people imagine that local labour ought only to be employed upon the preliminary work. I know of no reason why local labour, if it is employed on the preliminary work, should not be employed throughout the whole undertaking. It is necessary, no doubt, that some of the men employed should be skilled labourers, but contractors ought not to be allowed to suppose that they can employ the people in the locality for the first few weeks, and then cast them adrift. On the question of road-making, I find myself entirely in accord with the views expressed on the opposite side of the House. I have the greatest possible objection to the making of a single new road in Ireland. Under the Relief Act of 1886 money was expended in Donegal in making new roads, but no one used the roads. Their construction was a very interesting means of employing the engineering talent, but they are white elephants for the county. No money was taken from the cesspayers in respect to the making of the roads, but now the cesspayers have to keep them in repair. I shall certainly invite the House on this point also to insert a provision in the Bill preventing a single farthing being expended on making new roads. But, while I am of this opinion, I think a great deal of the money might be expended on improving the existing roads, especially those in the West of Ireland, which will connect the light railways with each other, and which are now in a deplorable condition. I do not deny that the reclamation of land is a very difficult question, but I believe that if the Government will really complete the experiment they will do considerable service. Many of the small holders are bad agriculturists, and it will be of the utmost value to them if a model farm can be established and they can see with their own eyes the best means for cropping the land in their neighbourhood. There is a most extraordinary prejudice in one portion of Donegal against the Champion potato. I have been informed by men who have had to do with the distribution of seed potatoes that the people in the Glenties Union are prejudiced against the Champion potato, because they have never seen it grow in the ground. The experiment made by the Chief Secretary last year has not proved successful, because all sorts of rumours were set afloat in respect to the Champion potato. Many people were told that the seeds were diseased and imported by the right hon. Gentleman for the purpose of devastating the country. As to the advantages of afforesting, I do not believe there are two opinions in Ireland. Any one who knows anything of the country knows that one of its greatest misfortunes is that it is absolutely deficient in the quantity of the necessary timber to counteract the atmospherical causes. Timber has been gradually disappearing from the holdings, but I am not sure that the view of the right hon. Gentleman the Member for Newcastle (Mr. J. Morley)—namely, that afforesting should be entirely given over to Local Authorities—would be successful. The right hon. Gentleman will admit that in the two European countries in which tree culture has been brought to high perfection—France and Germany—the absolute control is not vested in the Local Authorities, certainly it is not in most parts of Germany, and I do not think it is in France. I believe that if afforesting is to be carried out successfully, it must be conducted by a Government Department possessing the very best scientific advice, and free from all local influences.

MR. J. MORLEY: I did not mean my remarks to apply to afforesting.

*MR. MACARTNEY: I am of opinion that if the Local Authority, whether the Board of Guardians or County Council, or whatever Local Authority may be hereafter created, are given considerable pecuniary interest in the result of afforesting, the experiment will prove a complete success. I do not wish to detain the Committee longer; but on the points I have raised I feel very strongly, and when the proper time arrives I shall endeavour to give effect to them.

*(6.40.) SIR G. CAMPBELL (Kirkcaldy, &c.): I am inclined to think that the speech of the right hon. Gentleman the Chief Secretary (Mr. A. J. Balfour) would have convinced anyone who has not had the long and serious experience I have had of the difficulty of dealing with these questions of famine. But I must say also I could not help thinking that the right hon. Gentleman was a great deal too sanguine, and I could not but dwell on the long catalogue of failures and frauds he recited. His speech led me to wish that it was not necessary for us to do with this matter. I was one of those who went in for Home Rule for Ireland with a great deal of hesitation and some misgiving; but a speech like that of the right hon. Gentleman the Chief Secretary, showing the enormous difficulties Englishmen must overcome in dealing with such a question in regard to Ireland, makes me very much wish that we could wash our hands of such subjects, and let somebody else be responsible for them. As to the amount of distress likely to occur, I admit I have not visited the districts in which the distress is anticipated; but I can give this negative evidence, that I have this season visited parts of Ireland where there is no distress, and where, on the contrary, the crops are excellent. I am inclined to think that perhaps too much has been made of the partial failure of potatoes in a limited portion of Ireland, and I am inclined to hope that it is not such a big thing as the Chief Secretary imagines. We are likely to experience, on the present occasion, very much what I have experienced on other occasions, namely, that people want to get all kinds of things done under the cry of famine that they would not get done under other circumstances. Though I give the Chief Secretary full credit for the utmost desire to do what he can for Ireland, I cannot help thinking that he is assuming that which has been called the "stick and pudding" policy. I am afraid the right hon. Gentleman has been somewhat too ready to persuade himself that this large sum of money will be spent with advantage in Ireland, and that he has taken too sanguine a view of the situation. The late Chief Secretary (Mr. J. Morley), who admitted that he himself had made a failure, said the Chief Secretary is trying the same experiments as have been tried by many Chief Secretaries before him, and that he is likely to meet with the same difficulties and perhaps the same results. We must be very careful in this matter not to listen too readily to the demands that come from Ireland. Although our hearts may be very willing to accede to the demands of people who are said to be suffering from poverty, we must take care that that feeling does not carry us too far. Care must be taken with regard to the relief works, so that we do not have roads constructed, as they have been in the past, that are of no use. You must also take care that you really do employ the poor people of the district. I know very well how very incompetent and unpaying pauper labour is, and I know that if you leave it to the Railway Directors they will employ the labour that pays them best. There is no labour so unprofitable as that rendered by people who think you are giving them work out of charity. I view with great distrust these drainage and reclamation schemes. Last year and the year before I think we succeeded in defeating some great drainage schemes of this kind.

MR. A. J. BALFOUR: The hon. Gentleman is quite mistaken; the drainage schemes he refers to are of a very different character from that now before the House. The only point of resemblance is that the word "drainage" is used.

*SIR G. CAMPBELL: I quite admit that, but the principle is the same. The principle is that of spending British money in improving the character of the land in Ireland. I should like to ask this one question: When these drainage works are carried out, who is to receive the profit? Are the landlords at the next revision of rents to get the profit due to the expenditure of British money? Some means of preventing that were embodied in a scheme brought before the House by a former Chief Secretary, and I hope that a similar course will be adopted in the present instance. Of course, if we vote the £5,000 needed for making the inquiry, we do not pledge ourselves to the schemes themselves, and when the estimates for the schemes come before us we shall not be bound to sanction them. I wish to say one word on a subject which has already been referred to, namely, the position of the large body of persons who are not able-bodied and are not able to go to work. When the pinch of poverty comes, it is at first most severely felt by those who are not able-bodied, and who are not able to do profitable work, and it is my impression that this class should be provided for out of the relief afforded under the Poor Law system in Ireland with some relaxations. [*Laughter.*] I do not know why hon. Gentlemen laugh. I do not see why, if a large sum is to be provided out of the British Exchequer for the purpose of furnishing relief works for the able-bodied portion of the population, at least that portion which is required for the maintenance of those who are not able-bodied should come from the ordinary fund for the poor relief of the country.

(7.2.) Mr. STOREY (Sunderland): I am glad to have the opportunity of making a few remarks on the proposal of the right hon. Gentleman, of whom I may say that his manner has been so conciliatory and his intentions so kindly that although I feel it necessary to oppose the measure he has brought forward, I trust I shall in doing so exhibit a similar spirit. There are two things which the House ought to bear in mind in considering this question. The first is, how utterly incompetent this Committee is to deal with this purely Irish matter. Had this question been remitted to Irishmen in their own country, how much more competent would they have been to deal with it The second point is, that the Chief Secretary is compelled to assure us that every effort in this direction that has been made before his time has been a failure. In that he was supported by the Irish Members who have addressed the House. [Colonel Nolan: No.] Well, he has been supported by most of the Irish Members. I do not expect my hon. and gallant Friend below me (Colonel Nolan) to admit that anything is wrong in Ireland. But what does the right hon. Gentleman propose to do? He proposes to make roads and main drains, to reclaim land and to afforest a portion of the country. Now, as to roads, what do all the Irish Members tell us on that subject? They all tell us, "Whatever else you do, don't make roads, because the making of roads

in days gone by has always been a failure." Well, what as to drains? Others who have spoken on the subject say, "Do not deal with main drains; do something else." When the right hon. Gentleman comes to the reclamation of land he is told by the late Chief Secretary, who is an authority on the subject, having had experience, to beware, and, with regard to afforesting, I have not heard anybody propose a tangible plan. We certainly have been told that it will be advantageous to have trees in Ireland, because the Irish have cut them down; but as you are going to hand over the land to the tenantry, I, for one, cannot see the utility of planting trees in order that the tenants may cut them down. All these things have been tried by equally kind-hearted Ministers, and equally philanthropic Governments in days gone by, and they have always failed. "But," says the Chief Secretary, "I shall succeed because I am going to try a new plan. I am not going to trust to the Local Authorities. I intend to have a special Board to carry on these works." But I would point out to the right hon. Gentleman that the great majority of the works of reclamation and other works for relief have been carried out in the past, not by the Local Authorities, but by a separate Board. The right hon. Gentleman the Member for Newcastle (Mr. J. Morley) introduced the Local Authority, but before that public relief works were carried on under the control of a public Board in Ireland. ["No, no!"] I say "Yes." They were so carried on in the main, whether drainage works, roads, or harbours, and they were all lamentable failures. Notwithstanding this, the right hon. Gentleman is going to attempt the impossible. I wish him success; but I tell him that, although my heart is with him, my judgment does not approve his plan, and I do not think he will succeed. The strangest thing about this business is that, while he asserts his desire to make the people to whom he proposes to administer relief self-reliant, he, nevertheless, intends to take the whole of the operations out of their hands, and to treat them as if they were not men, but mere human machines. I agree with him in saying that we ought to make these people independent, prosperous, and self-reliant if we can do so; but I cannot think you will secure that result by administering the proposed relief in the manner suggested by the right hon. Gentleman. I say that his proposal is an impossible proposal. He is going to make certain gifts to this particular district in Ireland, and the money is to come from the Public Exchequer and the Irish Church Fund. He is under the impression that in this way the Irish people may be enabled to tide over the present period of distress, and that hereafter great blessings will be secured to the population. I sincerely hope he will be enabled to tide them over the period of distress. I cannot help giving him my hearty sympathy in this effort. I only regret that circumstances have been allowed to arrive at such a head once again that Parliament is asked to deal with this part of Ireland as it has had to do so often in the past. But I say that if the right hon. Gentleman is going, in defiance of all past experience, to bestow public money on the West of Ireland, while he declines to bestow it on this country, which almost equally needs it, ought he not, first, to take most stringent care to be as economical as possible in carrying out the works proposed; and, secondly, ought he not to see that the persons who are about to be benefited by those works, and who at the same time are not badly off, shall contribute a reasonable share of the outlay? I ask the House, is he economical? He is going to make railways. I ask him how have the landowners dealt with this matter? I allude to the landlords through whose district the railway will pass. I am told that personally I have done all I could against the construction of light railways. That is true, and I would do the same again. Let me recall what has happened with regard to these light railways. A Bill was passed in 1889. It was forced through the Committee upstairs, and afterwards forced through this House at what was expected to have been an All-night Sitting.

MR. T. W. RUSSELL: The fact is that a small minority attempted to coerce a great majority on the occasion referred to by the hon. Member.

MR. STOREY: Then we were only imitating the hon. Member and his friends in Ireland. But, however, the Bill was passed. It was forced into law in August, 1889. Will my hon. Friend tell me why that measure was not made use of? Why was nothing done under it? Why was not even a single line laid down even up to August, 1890?

MR. T. W. RUSSELL: There was not time.

MR. STOREY: No, it was for this reason: it was because the Bill which passed the House was a useless Bill. It was a Bill which introduced the question of promoters, and we cautioned them that if they insisted upon introducing promoters the Bill would not work. The result was that last August an amending Bill was brought in to put an end to the promoters, and to place the lines in the hands of the Railway Companies. That is all I have to say about the Light Railways Bill. But the point I wish to put before the House is this: what have the landlords who are to be benefited done? Have they contributed their full share of the expense in relief of the Public Exchequer? I will tell the House what is to be done. These railways, which are to be made at the public expense, are to go through stretches of territory which are not in themselves valuable, but the value of which will be largely increased by the fact that the railways pass through them. If the public have to bear the expense of making those railways, is it not reasonable to demand that the landlords should, at least, give the paltry bits of land through which the railways are about to run? The landlords promised to be generous, but they have not, as far as I am aware, given a penny.

*THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.): Yes, they have.

MR. STOREY: What proportion of them?

*MR. JACKSON: Oh, a considerable number of them.

MR. STOREY: Well, when we get the Returns, which will shortly be laid before us, we shall be able to see what proportion they have given. But even if some of them have contributed, that fact does not get rid of my argument, which is, that the House should see that when they are about to grant so large a sum of money as will be needed for these lines out of the Public Exchequer, the landlords should at least give the necessary land. Another point is this: Has due economy been observed in connection with this scheme? If we are going to make railways at public expense, why are they not to belong to the public? Why are they to be given to the existing Railway Companies for nothing? Public money is to be given to make railways, and then, when the lines have been completed, they are to be handed over to the existing Railway Companies! I think we shall be able to show the right hon. Gentleman that in the case of some other agreements we have made with the existing Railway Companies we have been exceedingly wasteful of the public money. We have given tens of thousands to Railway Companies to make lines, though we had in our possession agreements for the same lines at less sums. I do not call that attending duly to economy. Will the right hon. Gentleman tell me if he is going to spend public money on afforesting land belonging to the landlords, or is he going to acquire public land and put forests upon it? If he does the former I shall accuse him of being neglectful of the public interests, but if he does the latter then I shall have less objection to the proposal. I should like to press upon his attention the criticism as to whether or not the poor people of the districts are likely to get the benefit of the employment afforded in the construction of the railways. I have had some experience of contractors, who will endeavour to make as much as they can out of the work. The Chief Secretary said that much of the work could be as well done by unskilled as by skilled men. He can know nothing about the making of railways. I warn the Chief Secretary that unless he makes a bargain with the contractors now this will happen. They will employ skilled men, and the poor people of the locality will not receive benefit from the works. But, again, if you make a bargain with the contractors that they are only to employ the people of the localities, then you must be prepared to pay twice as much for the works as you would otherwise do. The contractor would certainly, if such a condition were imposed upon him, take care to put more money on his contract. If you do not make that bargain then the contractors will look to their own interest and will employ outside labour. I do not make these criticisms as at all opposing the evident desire of the Committee to do something at the moment for Ireland, but I can only say to the Minister that once again we are going the weary round that we have gone before. We will for the moment tide over the distress by a lavish and wasteful expenditure of public money, with more or less good or bad results; but the evil will remain, and the very medicine we administer will tend to make the patient not fitter to stand the future, but as first my hon. Friend the Member for Northampton remarked that six years hence, very likely, the Chief Secretary would be again standing at that Table proposing another Relief Bill for the West of Ireland. I sincerely hope my hon. Friend is wrong. If the right hon. Gentleman will still persist in trying to govern a country about which he knows nothing, and against the wishes of that country, of course, you will have successive appeals for charity. I hope, on the contrary, before six years are over, the present Chief Secretary will be relieved from the necessity of dealing with Irish matters, and that Irish affairs will be relegated to an Irish Assembly sitting in Dublin, where the work will be done much better than we can do it.

*(7.22.) SIR LYON PLAYFAIR (Leeds, S.): I only want the right hon. Gentleman to give us such information as he has in his possession in regard to the very important statement which he gave us at the beginning of his speech, namely, as to the number of meals per day partaken of by the people. I understand that it would be only possible for them to have two meals of potatoes during four months, whereas the other eight months are to be provided for. I suppose he simply intends to apply his proposal to those districts where there is a prospect of famine. It is necessary, before we proceed to the discussion of such an important proposal, that we should have all the information possible as to the area to be dealt with. I am sure the right hon. Gentleman must have been in possession of information before making such an important and painful statement in regard to certain of the districts of Ireland, and I trust the right hon. Gentleman will be able to furnish it to us. We would like him to tell us what is the average crop of potatoes at the present time, in the congested

districts, and if Returns have been made which confirm the serious state of things in these districts.

*MR. MUNRO FERGUSON (Leith, &c.): Sir, I wish to call attention for one moment to the subject of afforestation. I hope the right hon. Gentleman will give some assurance that if this work is undertaken it will be carried out in a proper, scientific, and permanent manner, and not merely with the view to afford relief. It would be a discredit to forestry could any reflections be cast upon a national system.

*SIR J. SWINBURNE (Staffordshire, Lichfield): Will the right hon. Gentleman inform the Committee whether in the drainage scheme—not the great arterial scheme of drainage—the benefit will go to the landlords, or otherwise?

MR. ARTHUR WILLIAMS (Glamorgan, S.): Will the right hon. Gentleman state what proportion of land, in the construction of 284 miles of railway, has been given by the landlords through whose estates the lines will run?

(7.26.) MR. A. J. BALFOUR: I will endeavour to answer the various questions put to me, and perhaps I had better first answer those asked last, and of which I have not taken a note. The right hon. Gentleman the Member for Leeds asked me a question with reference to the illustrations I gave at the beginning of my speech as to the congested districts. I am not quite sure that the right hon. Gentleman clearly understood what I said. I stated that under ordinary circumstances tenants have three meals a day. Two of these consist of potatoes, and not the third as a rule. I took the worst districts during an ordinary year, and I found the tenant would get two meals consisting of potatoes from the 15th August to the 15th December, and then probably only one meal of potatoes from the 15th December to the 15th April. After that date he has to depend directly on the credit of the local shopkeeper for what is necessary for himself and family. Here I took this year as an illustration, and I said that the tenant would only have one of the three meals with potatoes up to the 15th December, and that after the 15th December he would have to depend on credit, if he could get it, and it is probable he will not be able to get it. It is therefore that I have laid before the House some methods of affording relief. The right hon. Gentleman the Member for Leeds asked as to the area of the congested districts. It is not easy to state the area over which distress exists. I shall, however, be able to give the right hon. Gentleman minute information as to the degree of failure in different districts in the West of Ireland. Of course, too, the resources of the population in different districts must be considered. In some districts the population may be successful in obtaining work in England, or in fishing. One cannot tell exactly how the distress will weigh in different districts, but in the illustration I gave about the beginning of my speech I had specially in view the south-west of Donegal. With regard to the question asked me by the hon. Member for Leith, as to afforesting, if the idea is carried out at all it will be a very tentative experiment. The land will be acquired by the Government, and it will be necessarily cheap land, worth very little to the owner, and practically not used by the occupier except for grazing. The earlier stages in the work of afforestation are those which require little practical skill, consisting largely of draining and making turf fences, surmounted subsequently by a couple of wires which are generally considered an effective fence. The planting so carried out under skilled supervision would belong to the public; whether it would be proper afterwards to hand over the land so planted to the Local Authority, the District Board, the County Council, or whatever the Local Body may be, will be a matter for subsequent examination. The hon. Member for Sunderland appeared to think that if Home Rule were granted there would be no more failure of the potato crop, that the wisdom of Ireland uncontaminated by the folly of Englishmen would be able to deal adequately with any difficulties that might arise, and that those congested districts would be put in a specially favourable position by being deprived of the advantages of English credit and English money. I really do not understand the view of the hon. Member. I believe I have considered the opinions of Ireland. The hon. and gallant Gentleman the Member for Galway, who knows those districts, is distinctly in favour of the proposals of the Government, and for myself I am vain enough to believe that, whatever form of government is adopted, they cannot do much better than the plan the Government has ventured to submit. The hon. Gentleman has said this scheme has been tried before. I maintain that the scheme which I now recommend to the House has never been tried before, and, whether it fails or not, it is not open to the criticisms which have been passed upon it by hon. Gentlemen opposite. An hon. Member asked why the Railway Bill passed in a recent Session remained unfruitful, and he puts that down to the action of the promoters. But a great many preliminary investigations had to be made, and it was true that five promoters came before the Railway Company. But the Bill of last year was not intended to exclude the private promoter; it merely enabled public companies to carry out schemes of the private promoters. Does the hon. Gentleman suppose that either in Ireland or in England the Local Authorities or the Public Exchequer could profit by a scheme which would retain in their possession the working of these railways, and prevent the great Railway Companies which they form working them? Why, a wilder idea than that I cannot conceive. To pass over the trunk lines to private companies and to give to the Exchequer the small feeders is quite impossible. It is the most preposterous idea that ever entered the mind of any politician. My hon. Friend the Member for Tyrone put certain questions, and I think the same questions were raised by the Member for Clare. I am asked what districts are to be scheduled. I do not think we should gain much from scheduling districts. The only result is that in this House each man whose district is not scheduled will bring pressure of an intelligible character to bear upon the Government. I do not think it leads to economy either of time or money. There was no Schedule put into the Light Railway Bill. In this case I do not think the Schedules would be necessary. I gave the House a pledge, which I think they will admit I carried out, that I would not allow myself to be induced by local pressure to use money for the purposes of constructing railways where assistance was not required, and I say now, that I will not allow local pressure to force me to start works in districts that do not require them. Therefore, I do not think a Schedule necessary either in the Seed Potato Bill or the Bill for these works.

Colonel NOLAN: About how many Unions will reap the benefit of the Seed Potatoes Bill, 60 or 70?

Mr. STOREY: Or 100?

Mr. A. J. BALFOUR: I should hope not so many. It, however, depends on the extent of the failure of the crop. I hold that no power should be given to the Boards of Guardians unless it is absolutely necessary owing to the poverty of the district. It will not depend on the district in which the failure occurred. I have been taken to task by hon. Members who referred to failures of efforts in the past. I am conscious of the failures in the past. I stated in language, afterwards borrowed by each gentleman in turn, that parts of Ireland were dotted over with roads which began nowhere and ended nowhere—a fact which spoke to the incompetence of those who had to deal with them. But surely no hon. Member will maintain that in Ireland no more roads are required. All I can say is that a more extraordinary statement never was made. There are districts where people have to go many miles round to attend church, fair, or market. It is only in such districts that roads will be made.

Mr. T. W. RUSSELL: Will the roads when made be placed under the control of the County Authority?

Mr. A. J. BALFOUR: Certainly, and I hope that no new roads will be made which the county will not be prepared and willing to take over. The next point which has been urged is that none but local labour should be used, and the hon. Member for South Tyrone urged the adoption of such a drastic measure as inserting such a condition in the contract. That is impracticable. It would not only increase the cost of the contract, but it would be utterly demoralising in the neighbourhood, because the contractor would be compelled to employ only local labour to carry out his work, and the labourers themselves would have it in their power to ruin him by refusing to work for him. It would also prevent these works being carried out on commercial principles. But I may tell my hon. Friend who raised this point that

I am assured very little beyond local labour has been employed on these works in the past. Of course, contractors cannot make embankments without having culverts, which require skilled labour not to be found in the place, but I am confident there will be an adequate demand for unskilled and local labour. Then an hon. Member has urged that the Government ought not to give seed potatoes except for cash payments. Well, if that is acted upon, we may rely upon it that we shall not get at the people we wish to reach, and will have to come forward again next year to relieve these people from suffering all the evils of distress and want, or even of starvation. I think the argument of the hon. Member for Northampton, and of other hon. Members, involves some misunderstanding of the line of argument I laid before the Committee earlier in the evening. They have all said in turn, "You stated there ought to be more self-reliance among the Irish people, but how will this proposal of yours tend to increase it?" But I do not propose this measure in order to increase their self-reliance. I propose it as tiding over the present difficulties. It is giving them a lift out of the mire, as it were. I firmly believe that, not in consequence of these relief works, but in consequence of the general measure, especially when the lesson is brought home to the clergy and the tenants themselves that they must do something to help themselves, great improvements will be introduced. I may be wrong, but that is my opinion. At all events, it is perfectly clear that if you do not do something of the kind all hope will be gone, and if you drag the Local Authorities into debt, you will only plunge them deeper and deeper into the mire of insolvency. If you are going to do nothing to improve the communications, to improve the agriculture and industry of the people, then the thing is hopeless. But it is because of the far-reaching effects of my scheme that I attach importance to it. Whatever other proposals may be urged upon the Government, their immediate duty is a plain one, namely, to do what they can to relieve these poor people. I have given the best thought I could during many months to the preparation of this scheme, which I believe to be the most practicable, the most economical, and the most generous one that could be devised.

(7.46.) COLONEL NOLAN: I wish to ask a question as to the area in which seed potatoes will be distributed. I think that the distribution should not be confined to the distressed districts, but should be spread over a considerable part of the country in which the seed has not been renewed since 1880, and is consequently almost worn out, and, therefore, likely to render the potatoes peculiarly liable to disease. I would suggest that in every district west of the Shannon, and several east of it, it is desirable to give facilities for obtaining new seed. The fact is, in most districts of Ireland there are no proper seed merchants. There are those who sell the early and the fancy varieties of potatoes, but there is no machinery for the exchange of seed. I may point out that, even in the richer districts, there are many anxious to get new seed, and if the Government arranged for the supply they might rely on prompt payment, so that there would be no loss. All I wish for is an assurance that the Irish tenants will have the opportunity afforded them of obtaining new seed.

(7.49.) MR. A. J. BALFOUR: It will rest with the Irish Local Government Board, looking at the necessities of the district, to determine whether seed will be available or not.

(7.50.) COLONEL NOLAN: The matter should not be left to the Irish Local Government Board, but should be decided by the House of Commons. The Irish Local Government Board would be a very proper authority for determining which are the 20 poorest Unions, but it is not their business to say whether 20 or 60 of the Irish Unions shall be classed as poor.

THE CHAIRMAN: Order, order! The hon. Member is anticipating a discussion on the Bill.

*(7.51.) MR. PRITCHARD MORGAN (Merthyr Tydvil): There are large areas of Crown Lands in Ireland known to contain an immense wealth of minerals. For instance, there are Crown Lands of high value in County Wicklow.

MR. A. J. BALFOUR: There are no Crown Lands in Wicklow.

MR. P. MORGAN: There are lands over which the Crown claim certain rights. Perhaps I should call them

Crown Mines, which cannot be developed by private enterprise because of the royalties exacted by the Crown. Yet, the money of the British taxpayer is to be expended upon experimental works and new schemes which have not been tried before, when these mines might be advantageously opened up.

MR. A. J. BALFOUR: I suppose the hon. Member is alluding to the right the Crown have over certain minerals in Wicklow.

*MR. P. MORGAN: Yes; and the Government prefer to thwart and starve Irish industries, which might easily be developed, rather than encourage them.

MR. A. J. BALFOUR: I cannot conceive how the remarks of the hon. Member have any bearing on the matter.

*MR. P. MORGAN: I have no desire to frustrate the objects of the right hon. Gentleman. I prefer to assist them, and therefore I would suggest that either the Crown should withdraw its claim to the royalties, which prevent the mines in the distressed districts in Ireland from being worked by private enterprise, or else that such mines should be worked at the expense of the Crown itself.

*(7.53.) SIR J. SWINBURNE: I hope proper precautions will be taken to prevent landlords increasing the rent by reason of improvements carried out at the public expense.

(7.54.) MR. A. J. BALFOUR: Certainly.

MR. ESSLEMONT (Aberdeen, E.): I should like to ask the right hon. Gentleman if the Government object in the reclamation of land is, as I understood it, to undertake such works as will enable the tenant when settled on adjoining land to so extend his holding as to get a living. I do not think the fund could be applied to a more useful purpose than undertaking drainage works beyond the power of individual effort, and enabling people to live on land not otherwise suitable for the purpose. I hope, however, that care will be taken to prevent the buying or leasing of lands so developed by the Government. With regard to the subject of finance, the right hon. Gentleman did not state how much money was involved in his scheme. I would, however, venture to suggest that, in order to prevent the Irish people from disappointment, the right hon. Gentleman ought to fix some definite sum that should be applicable for the purpose of relief. Indeed, I hold that this is a matter which should be controlled by the Imperial Parliament. A certain sum should be voted, and then if that proved insufficient to meet the necessities of the case a further grant should be asked for from the House. Otherwise, the right hon. Gentleman will have laid before him a great many applications in the simple hope that the Treasury may be drawn.

(7.59.) MR. A. J. BALFOUR: I believe the purpose we all have in view will be better attained by not fixing the amount; but I hope it will not be a great one. It is desired to keep down the relief works to the minimum of actual necessity; and fixing a sum will not keep down the number of applications. If reclamation is carried out, it will be an experiment, and it is desirable that the land reclaimed should be in the neighbourhood of holdings. There are cases where you will find holdings carved out of bog, and where there is a limitless amount of bog capable of similar treatment, and those are the cases in which experiments should be tried. If I can find such places, and obtain them on reasonable terms, it will be there that the experiment will be tried.

(8.2.) COLONEL NOLAN: When will the Unions know whether or not they will come under the Seeds Act?

MR. A. J. BALFOUR: No time will be lost in issuing to Boards of Guardians the Circular of which I have spoken.

COLONEL NOLAN: Will it be issued by the 1st of January?

MR. A. J. BALFOUR: I shall issue it on Monday if necessary.

Vote agreed to.

Resolution to be reported To-morrow.

Committee to sit again To-morrow. (8.3.)

TITHE RENT-CHARGE RECOVERY BILL.

(No. 110.)

Order for Committee read.

*(8.35.) MR. F. S. STEVENSON (Suffolk, Eye): I rise to move the Instruction to the Committee of which I have given notice, and which in substance is similar to that I moved on the Motion for Committee on the Bill last Ses-

sion. I had hoped that the Government would have made such modifications in this Bill as to have rendered this Instruction unnecessary. Unfortunately, though the Government have made certain modifications, for example, the redemption scheme does not find a place in the present Bill, and the provisions in Clause 3 are modifications, yet our expectations are disappointed, and the changes do not embrace every aspect of the question as we desire they should. On that account I have to give a few reasons why this Instruction should be supported, though after the discussion of last Session it is not necessary for me to enter at any length into the details of the question. Last Session the Attorney General in the course of debate on this Instruction gave one or two reasons why it could not be accepted. Speaking of corn averages, the main question we desired to deal with under cover of the Instruction, the Attorney General said—

> "Her Majesty's Government are ready to give effect to any such scheme by practical legislation as soon as it can be devised, but,"

he went on to say, and this was the reason he opposed the Instruction,

> "If the Instruction is passed, it will enable hon. Members to load the Bill with an unlimited number of Amendments."

No doubt from his point of view there was a reason for opposing the Instruction, but it does not hold good now, because the Government have undertaken to refer the question of redemption to a Commission, and this question of revision might also be referred to the same Commission. If such an undertaking is given, I shall be glad to withdraw the Instruction, but I see no sign yet that the Government intend to take that course. On Monday I asked the President of the Board of Trade, with regard to the Commission to which the right hon. Gentleman alluded, whether the question of corn averages was to be referred to it, and the right hon. Gentleman said he spoke simply of referring to the Commission the question of redemption. Then this afternoon my hon. Friend (Mr. Gardner) put another question, and obtained a similar answer—that the Commission would only refer to the subject of redemption, and the right hon. Gentleman added that naturally the Commission would have before it the existing state of things as affecting different parts of the country, but the Commission would have these facts before it just as the Executive Government had when preparing the present Bill. Well, there is no satisfaction in that. If the Commission is confined to dealing with the question of redemption only, why not exclude the whole question of revision? I do not wish to dwell on the causes which render revision necessary. I pass to one or two points bearing on the Instruction, and ask the Government to consider the position in which we are now placed. After an experience of 50 years the Tithe Commutation Act of 1836 has been found to operate most hardly in the corn-growing districts, especially in Norfolk, Suffolk, Essex, and Kent, which four counties pay £1,000,000 a year of tithe, or about one-fourth of the whole tithe of the country. I shall not touch upon the Welsh part of the question, for that is entirely different. In Wales apparently there is no great desire for revision. As affecting Wales, the question is one of principle, and when this part of the subject was debated on Monday, we supported Welsh Members in their contention that tithe is national property. Reciprocally, I hope we may claim the support of Welsh Members in this English part of the subject when we show that the English agricultural classes labour under very serious grievances, which the Tithe Commutation Act of 1836 professed to remove, but as a matter of fact has done nothing to minimise. Whether the tithe is Church property or national property, devoted now to Church purposes, it will be made much more secure if the grievances of the tithepayer are removed in time. If, on the other hand, you allow these grievances to remain unredressed and to grow in magnitude, then in the long run it will not be a mere question of temporary revision such as is contemplated in the Instruction, but there will be danger to the existence of the tithe as a property at all. It is no doubt the intention of Her Majesty's Government that this Bill should not impose any personal liability, but it would be satisfactory if the Attorney General would assure the House that by no effort of legal construction could this be interpreted out of the Bill.

MR. DEPUTY SPEAKER: I do not see how this arises on the Motion.

*MR. F. S. STEVENSON: If it can be pointed out that this is not touched by the Bill, then there is one reason in support of my Instruction and a revision. If the Bill is merely for the benefit of the tithe owner then it may be asserted that the benefit to the tithe owner ought to be counter-balanced by a recognition of the claims of the tithepayer. There is another question—whether under Clause 3 it would be possible for the tithepayer to obtain an abatement in the case of tithe exceeding two-thirds of the annual value of the land without proceedings having previously been taken against him by the tithe owner in the County Court. If that is the only way in which the tithepayer can obtain a remission, I venture to think that in few instances will an abatement be obtained. The quiet easy-going tithepayer, reluctant to put himself in a humiliating position, will obtain no abatement. The tithepayer who makes a great outcry about his position, who refuses to pay, and who acts in what may be called a lawless manner, or at any rate in a manner not conducive to good relations with his neighbours, will obtain a remission. The construction which may be put on the provision in Clause 3 is that the remission cannot be obtained except in cases in which proceedings have previously been taken by the tithe owner through the Court; and if that is the case, then there is a clear case for this Instruction. What the tithepayer wants is not the opportunity of making an appeal *ad misericordiam* but a system by which his grievance will be redressed when it can be shown, and this is not provided by such a process as I have indicated arising out of Clause 3. There is a case for establishing some automatic system by which the remission may be obtained. We want to know whether in particular cases scattered over a wide area or parts of the country there is such an unjust system at present prevailing, in consequence of the operation of the Tithe Commutation Act of 1836, as to call for the operation of some such system of remission, either by the House or by a Commission to be appointed. As to corn averages, I think that there is apparently no indisposition on the part of the Government to grapple with that subject. If that is the case, then why not refer the question to the Commission which is to deal with the question of redemption? Surely it is a sufficiently cognate subject to refer to the same Commission? I fail to see any adequate reason why corn averages, which deeply concern the payment of tithe, should not be referred to the Commission which is proposed to deal with redemption—the two subjects are so interwoven that you cannot separate them. In regard to corn averages, two points came out clearly before the Committee on the subject which sat upstairs, and I fail to see why some practical action cannot be devised by the Redemption Commission, why the Redemption Commission should not endeavour to deal with the sale and resale of corn; and with the other and perhaps wider difference which exists between the system which was employed by farmers more than 50 years ago, when they sent all their corn, good, bad, and indifferent, to market, and that of the present time, when they send only their very best corn; why the price on which the average is taken should not be the price the farmer gets, but the price recorded after the best corn has passed through several hands by process of sale and resale. I venture to think that the Government ought to refer the whole of the question of revision to the Commission which they propose to appoint. If they cannot hold out any hope or make any concession, I am afraid that it may be necessary to press this Instruction to a Division. If, however, the Government make a concession on this point, or if they enlarge the scope of the reference to the Commission, then our work will have been performed, because it will be made clear that the question of revision is not alien from the task to which a Commission on Redemption would devote itself. I appeal to the Government to make this concession in time. It is a concession urgently needed in the Eastern and Southern agricultural districts, and not only there. The Government proposals are inadequate and incomplete if they simply deal with redemption. I trust the Government will accept the suggestions I offer, and include this question within the scope of their Commission, or accept this Instruction to enable Amendments to be moved in Committee

Motion made, and Question proposed,

"That it be an Instruction to the Committee that they have power to provide for an equitable revision of tithes in accordance with the altered conditions of agriculture."—(*Mr. F. S. Stevenson.*)

*(8.54.) SIR JOHN SWINBURNE (Staffordshire, Lichfield): I would like to call the attention of the House, and more particularly that of the President of the Board of Trade, to the fact that not only is this tithe question rampant in the Eastern counties to which my hon. Friend has more particularly referred, but in the five Northern counties, all of which at the time of the great European War were growing corn. After Waterloo the greater portion of the land was allowed to go away to weeds. Then, 54 years ago, at the time of the Tithe Commutation Act, tithe was exacted on the lands which still remained under grain cultivation. Since the repeal of the Corn Laws, in 1846, nearly the whole of this remnant has passed out of cultivation. Tithe owners have done nothing to reclaim the land, which was thoroughly exhausted by constant corn growing, but the right hon. Gentleman argues that if we begin to revise the tithe we may be raising the value of tithe on grass lands. I traverse that statement, because tithe owners have had no more to do with making the land productive than Irish landlords have done for their tenants' farms, nothing at all. The land would be almost valueless at this moment, and I speak from 25 years' experience of growing grass, for anything the tithe owners have done. You may look over one side of a hedge anywhere and see land worth 5s. or 7s. 6d. an acre under grass, and on the other side you will find land worth £3 or £4 made so simply by the capital and industry of the owner or occupier, or both. Tithe owners have no right to any increase in the tithe, because they have incurred no risk, and have invested no money in draining, in lining, or manuring. That was settled 54 years ago, and now all compacts then entered into are to be torn up, arrangements between tenants and landlord to be upset, and the latter is to be placed in the invidious position of collector for the clergy of the district. Well, what do you give in return? The right hon. Gentleman has made much of the remission provided by the third clause, that if the tithe exceeds two-thirds of the value there shall be a remission of the excess. But this is a mere fragment of the whole question. Then we are told by the President of the Board of Trade that this is only the beginning of the tithe question, and that the Government intend to have the tithes commuted. But how are you to get at the value of the capital sum which is to be borrowed by the tithe owner except by this Bill, which increases the value of the tithes 25 per cent.? I do not know if the right hon. Gentleman has tried to sell his tithes? If sold now, tithes may bring 17 or 18 years' purchase, but after this Bill is passed they will bring from 25 to 27 years' purchase to the owner. If we then object to the commutation proposals, we shall be told we are too late and should have settled this point when this Tithe Rent-Charge Recovery Bill was before the House. I maintain that the Government are establishing a false basis for the redemption of tithe. I suppose the right hon. Gentleman is aware that a large portion of the tithe in Durham and Northumberland goes to the Ecclesiastical Commissioners. I do not think it will make it more easy for them to collect if this matter is placed on a false basis; a hardly-driven bargain, all one side, has never been found to work smoothly. Her Majesty's Government are tearing up contracts and increasing the security of tithe, making it a first-class security equal to the rates, and yet they give nothing in return, but the promise of a remission of the excess over two-thirds of the annual value of the land. I do not think a more one-sided bargain has ever been brought before Parliament, and I think it will not be found easy to work in future years.

(9.1.) MR. H. KNATCHBULL-HUGESSEN (Kent, Faversham): I wish to say a few words in explanation of the vote I am about to give. If I thought this Bill had been introduced or was intended as a final settlement of the question, my vote would be given for the Instruction, because I agree with the hon. Gentleman the Member for Eye in most of his remarks, and also in what he has said of the altered condition of agriculture. In 1836, when the Tithe Commutation Act was passed, this country had not embarked upon that unhappy fiscal policy which has crippled, if it has not absolutely ruined, that industry which gentlemen on both sides profess to consider the most important of British industries—I mean agriculture. Had it been anticipated that such a terrible fall in prices, and such terrible damage to the agriculture of the country, would have followed, I cannot think that we should have had the tithe imposed upon the owner as it is now. I am well aware that the question of re-valuation is one of enormous difficulty; in the opinion of some, and I believe of the President of the Board of Trade, it is one of insuperable difficulty. I, myself, believe that in the re-valuation of the tithe will be found the only solution of the question. I am sorry to hear from the President of the Board of Trade that nothing is to be referred to the Commission but the question of redemption. I had hoped, and still hope, the right hon. Gentleman will enlarge the scope of the Commission, and adopt the suggestion of the hon. Member for Eye as to the inclusion of the question of re-valuation. I do not, however, think that these considerations need occupy our attention at the present moment, nor do I say that my voting against the Motion to-day will prevent me from supporting a proposal for the consideration of re-valuation and re-adjustment, if it is made on a fitting occasion, from whatever quarter it may come. The right hon. Gentleman, in introducing the Bill, stated that this was not a measure for the appreciation or depreciation of tithe, but for facilitating its collection and making the owner, not the occupier, responsible for its payment. As these are two good objects, and as the effect of the Instruction would be to kill the measure, I shall give my hearty support to the Bill. I must, however, say—and in this I speak for a great many agricultural Members in the House—that our support will be a great deal more hearty if the Government feel themselves able to adopt the Amendment of the hon. Member for Saffron Walden, which is regarded as of great importance.

*(9.7.) MR. COBB (Warwick, S.E., Rugby): I cannot understand why the Government do not feel themselves able to accept this Instruction, and I am sure many hon. Members will be disappointed that the right hon. Baronet the President of the Board of Trade cannot see his way to include within the scope of the inquiry by the Royal Commission the question of the re-valuation of tithe. I hope the right hon. Gentleman will reconsider his decision, and I am sure that if he does so, and will refer the question of revision to the Commission, my hon. Friend will withdraw his Instruction. I have never been able to understand why, on both sides of the House, there is such a fear of revision of tithe. I will go further, and say I do not understand why there is so much fear of a reduction in the total amount of tithe in the present depressed state of agriculture. I disagree altogether with the hon. Member for Leicester. I do not understand why, if the burden of tithes is unjust, it should not be alleviated. Whether the tithe is Church property—as the Party opposite hold that it is—or national property, neither the Church nor the nation ought to desire to derive from it a revenue which is unjust. It is perfectly clear that when the settlement was made in 1836 the present state of things was never contemplated. It is not quite correct to say that tithe is an absolutely fixed amount like a rent-charge, because the Act of 1836 provides that it shall vary according to the septennial average. No doubt, when it was provided that there should be a septennial average, based on the prices of wheat, barley, and oats, that very basis was established for the purpose of making the charge absolutely fair. But we must all know that the septennial average on wheat, barley, and oats is not now a fair one. The relative prices of these descriptions of grain have changed, and there is a just demand for revision of tithe, even if it is only to alter the products on which the septennial average is based. In many ordinary cases the tithe bears so heavily that it is called a second rent, and it falls practically upon the tenant farmer. The cause of its bearing so heavily is to be found in the depression which has occurred in the agricultural industry. In one of the parishes I have the honour to represent—Bilton, near Rugby—the tithe was apportioned in 1841. A valuer was sent down from London, and he went to work in a very haphazard way. He, as I am informed, went on the land, inquired of the labourers what it was likely to produce, and what was likely to be the value of the produce, and he apportioned the tithe accordingly.

What has been the result? Why, that fields adjoining one another, having exactly the same quality of land and the same tillage, have to pay tithe of 4s. an acre, 6s., 8s., and even 10s. an acre. It comes to this, that in that parish, land—in respect of which the owner pays the tithe—produces to him 23s. rent, and he has to pay 10s. worth of tithe. In 1841, when the apportionment was made, corn, I believe I am right in saying, was 64s. 4d. per quarter. A gentleman who happens to be an owner of land in that parish—a good Conservative, I believe, and supporter of Her Majesty's Government—writes—

> "I think it is framed,"

speaking of the Tithe Act,

> "in the interests of the clergy and with no regard to those of the tithepayer. If the tithe had been re-apportioned there might have been no necessity to sue the landlord in the County Court. But this Bill enables the parson to get his pound of flesh, whether it is just or otherwise. . . . . To exact from the land the proportion of tithe now which used to be paid when corn was double the price, is, to my mind, dishonest and arbitrary. This Bill will not settle the matter. It will only embitter the laity against the clergy, and, perhaps, cause the latter to be less esteemed generally."

The Bill itself contains provisions for the revision of tithe, as it says that where the tithe amounts to two-thirds the annual value of the land it shall not exceed that amount. This, however, will only touch very exceptional cases. Some hon. Member said the other night that he did not suppose there were 100 cases in the whole country where the tithe exceeded two-thirds of the annual value. I do not know about that, but we can see that these cases dealt with in the Bill must be very rare as compared with the great majority of cases in which no relief whatever is given. The very essence and origin of tithe is that it ought to bear some proportion to the actual value of the produce of the land, and ought not to be regulated by the prices of other produce which the land does not yield. Well, if that is to be done there should be some revision of tithe, and, accordingly, I shall give my vote to-night for the hon. Member for Eye. I hope that before the President of the Board of Trade moves the appointment of the Royal Commission on the Redemption of Tithe he will see his way to enlarge the scope of the Commission, and include the revision of tithe.

(9.18.) MR. LLEWELLYN (Somerset, N.): I do not believe that there can be any lasting settlement of this question unless the matter of re-valuation is dealt with. It seems to me, however, that to attempt to include that subject in this Bill would be to kill the measure, as so many measures have been killed before. This Bill is desired in England as well as in Wales, not only by the clergy but by many other people. I hope that the scope of the Commissioners' inquiries will be so enlarged as to enable them to deal with the point to which I have referred. Surely it is ridiculously inconsistent that in one place the tithe should be in excess of the rent, and that it should be far below it in places adjacent. The machinery for re-valuation is ready to hand, and if the Government hold out no hope that the demand for it will be met, great dissatisfaction will be caused. However, as I have said, the question of revision goes beyond the scope of this Bill.

*(9.20.) MR. T. H. BOLTON (St. Pancras, N.): When the hon. Member for Eye moved this Motion last Session the circumstances were entirely different. The Government had brought forward a Bill which did not give satisfactory relief in the direction in which this Bill gives relief. There was no provision in it for dealing with exceptionally hard cases where the tithe is so heavy that it prevents the satisfactory letting of the land. The present measure does deal with such cases, providing for remissions of tithe where the charge exceeds two-thirds of the rental value of the land. There is a good deal of confusion introduced into this Debate by referring to tithe in general terms. There is no such thing as tithe in districts in the sense of a charge or rate of so much in the £1, or so much per acre. Prior to the Tithe Commutation Act in 1836 the tithe was levied in kind. The tithe owner took a certain share of the produce of the land, but the Commutation Act altered all that. According to Sir Robert Peel—

> "The object of the Act was to get a fixed money payment in lieu of tithe, and thus to put an end to the discouragement of agricultural improvements and the demand for increased tithe in proportion to improvements."

The tithe rent-charge was put on particular land. It was to vary according to certain corn averages which have had, perhaps, not so large an effect as hon. Gentlemen representing agricultural constituencies desire. Still, they have had an appreciable and important effect on the actual money payments in lieu of tithe. Hon. Members have only to refer to the very useful table issued under the sanction of the Commissioners to show the operation of the corn averages. The operation of the corn averages has largely reduced tithe in accordance with the altered conditions of agriculture. In 1883 tithe was about par price—that is to say, £100 of tithe produced £100 4s. 10d., but under the operation of the corn averages £100 of tithe has been reduced to £78 1s. 9d.—some think there will be a further reduction, to £73 or £72. Therefore, there is a gradual and appreciable diminution of tithe in accordance with the altered condition of agriculture. Lay tithes are sold, not as a right to take tithe in particular districts, but as sums of money payable annually out of particular lands. The people who own these lands bought them subject to the tithe, and the people who buy tithe rent-charge buy fixed sums charged upon and payable out of particular land.

*SIR J. SWINBURNE: Out of produce. That makes a deal of difference.

*MR. T. H. BOLTON: There is a deed in every parish which is called the Tithe Award and Appropriation, and that deed, which is the common property of the landowner and the tithe receiver, their common title deed, in fact, states that on particular parcels of land or on particular farms there is charged not so much per acre but certain sums annually payable. The landowner has bought his land subject to the payment of this annual sum, he has given so much less for it because of its being burdened with this annual charge. What is now proposed in this Instruction is a revision of tithe and a readjustment. What is readjustment? To take tithe rent-charge from land which pays it at present, and put it on land which does not pay it? The question of revision is a different thing. That must mean reduction—making a present at the expense of the tithe owner to the landowner. I sympathise with my hon. Friend when he says that in certain cases the tithe may be so heavy that it may prevent cultivation of the land, and prevent either the tithe owner or the landowner deriving benefit from the land, and that the State should come in as a matter of public policy, and revise the tithe; and as the Bill of the Government deals not only with the collection of tithe, but will give relief in exceptionally hard cases, I shall cordially support it. The tithe owner practically has, under the existing law, the first charge upon the land—— [Sir J. SWINBURNE: Produce.] That is a distinction without a difference. That sort of argument would have been very well 50 years ago, but, under the Act of 1836, tithe is now rent-charge, and property has been bought and sold subject to this rent-charge upon the land. It is absurd to argue that the charge is payable out of the produce as having practical application to the consideration of the question. The truth is that, for all practical purposes, this is a rent-charge upon the land. It is a rent-charge, wanting certain conditions and advantages usually associated with rent-charges, but it is none the less a rent-charge. It is true you cannot sell the land to pay the charge, but you can distrain, and if there is not sufficient distress you can take possession of the land and hold it, and that is a very practical remedy. The Bill of the Government relieves the tenant, and puts the tithe on the landlord's shoulders. To that extent it is a most satisfactory measure. It also provides that, whenever the tithe is so heavy that it threatens to wipe the landowner out of existence, which was never intended by the Act of 1836, the landowner shall have the right to claim a reasonable abatement and so have a share of the land. As a matter of right, I am very much inclined to think that the landowner would have very little case; but it is a concession made, as a matter of public policy, in a generous view of the relations between landowner and tithe receiver. I am very much surprised that my hon. Friends have not received the Bill with cordiality and gratitude. I know that there is a feeling of dissatisfaction in certain districts as to tithe. But this dissatisfaction to a large extent rests upon a want of knowledge of the circumstances connected with tithe, and what are the relative interests in it, and what are the liabilities connected with it. I agree to a very considerable extent with the argument of my hon. Friend the Member for Leicester, that tithe is public property, and I hope ultimately to see tithe applied to public uses. I look forward to a scheme for the redemption of tithe, which will capitalise the value of the tithe, and fix the capital value upon the land, and so practically get rid of difficult questions and unpleasant associations, while preserving tithe as a national property for public uses. I do not want to see tithe frittered away or destroyed; at the same time I wish to see the charge levied with due consideration. I cannot vote for the Instruction of the hon. Member for Eye, and I intend to vote in favour of the Bill.

*(9.38.) MR. C. W. GRAY (Essex, Maldon): Mr. Deputy Speaker, the rather long speech of the hon. Member for St. Pancras seemed to me more in the nature of a speech on the Second Reading than one confining itself to the Instruction of the hon. Member for Eye. I will not now attempt to traverse his arguments, with which I entirely disagree. I do not think the hon. Member was quite consistent in the speech. He took very high ground as to the first claim of the tithe owner, and as to the tithe rent-charge being on all-fours with a mortgage. But afterwards he did admit that the tithe rent-charge should not leave the landowner without some little share in the value of his property. I think the two ways of putting it are rather inconsistent. The hon. Member for Eye made an offer to the Government in reference to the promised Commission. The Instruction itself is a very clever one; I am sure the speech of the hon. Member in moving it, considering that he sits on that side of the House, was also clever. There was a great deal in it with which I thoroughly agree, but there is a little difficulty in understanding what he means by the word "revision," which may mean a little or a great deal. If it means a re-valuation of the tithe all over England I should not be able to agree with it. I could not stand up in my place and ask, for specific reasons, that the tithe in a particular locality should be lowered, and at the same time not allow, for the very same reason, that it should be increased. The offer of the hon. Member for Eye not to push his Instruction, if the Government would allow the question of tithe averages, in these altered conditions of agriculture, to be included in the reference to this promised Commission seems to me to have put some of us who sit on this side of the House in a somewhat difficult and close place. I certainly think that this question should have some fair opportunity of being inquired into. I think that we who are too well acquainted with those districts where things have become so altered ought to have some liberal and fair opportunity of bringing our grievances before this House, and having our cases put in the Journals of the House. I do not think that the Government can positively exclude some evidence upon these various questions from being put before the Commission. Last year I presented a Petition signed by Members on all sides of the House asking the Government to give us a Commission upon tithe redemption. I do not quite remember the actual wording of that Petition, but I think it asked for a Committee or Commission, in the first place, to inquire whether there was any necessity for redemption, and I take it that that would, at any rate, be part of the duty of the Commission. I do not suppose it would be taken for granted that redemption is really necessary. Having made the preliminary inquiry, I think the door would certainly be open to us to bring up questions such as we have heard raised by the hon. Member for Eye (Mr. F. S. Stevenson.) The knotty point for the Commission would be the terms to be set up, and certainly we of the Eastern Counties, where agriculture is so changed, would never listen to any proposal of redemption for the same number of years' purchase to be relieved of the tithe on our lands in Essex as would be given for land that is actually worth more than it was in 1836. I do not see that the Government could prevent a certain amount of evidence being taken on questions of that sort. The hon. Member was good enough to say he would not press the Instruction to a Division if it were understood that the other questions I have referred to should be brought before the Commission. If that should be the case, I trust that some evidence at least will be put before that body as to the position of the

farmers of the Eastern Counties in regard to this important subject.

(9.46.) MR. J. ELLIS (Leicestershire, Bosworth): I have only a very few words to say upon the subject now under discussion, but I desire, on behalf of my constituents and the agriculturists of Leicestershire generally, to say that it would afford them very general satisfaction if Her Majesty's Government would accept the suggestion contained in the Instruction moved by the hon. Member for Eye (Mr. F. S. Stevenson). As a born agriculturist the question is one in which I myself have taken considerable interest, and I may say that there is a very strong feeling on the part of my agricultural friends on this subject. They are of opinion that the measure by which the tithe is collected is an unfair measure. If the hon. Member for St. Pancras were right in stating that at the Tithe Commutation of 1836 a certain sum had been fixed and that that was an unalterable sum, I and my friends would have been satisfied, because we do not wish unfairly to lessen the amount of tithe. I agree with the hon. Member that the tithe is public property, and that any unfair lessening of the amount would simply mean the handing over of the sum thus deducted for the benefit of the landlords; but I must repeat that I think the measure under which the tithe is at present collected is an unfair one. At any rate, the subject is one which demands inquiry. I have been familiar with the way in which barley is prepared and dressed for the market for the last 40 or 50 years, and I can state that the alteration which has taken place in the mode of threshing has made a difference in the weight of the barley of two stones in the quarter. The old measure under the system of threshing by hand was 15 stones to the sack, whereas under the present system it is 16 stones to the sack. This, I assert, is one of those things which have affected the amount of the tithe. To many hon. Members this may seem to be only a small matter. But when we have regard to the fact that most of the barley which is grown in Leicestershire and in the Eastern Counties is sent to two or three different markets and that the account is taken first to Huntingdon, then to Leicester, and then to Burton, we have before us a state of things which I think demands some inquiry. I have stated that the measure is not the same as it was in 1836, and that is the view taken by my agricultural friends in Leicestershire. The tithe is not oppressive in that county, because the conditions of farming there are different from those which appertain to Essex. In Leicester we have what is called mixed farming, and under that system the farmer may escape, whereas in the Eastern Counties he cannot escape without paying the full amount of tithe. I do emphatically urge, on behalf of the agricultural tenants of England generally, that the measure by which the tithe is collected should be inquired into. I cannot see why Her Majesty's Government should refuse this request. I say that whatever was agreed to in 1836 was a fair settlement as between the landlord and the tithe owner; but if the measure has been altered in the meantime, as we aver to be the case, we ought to readjust it. I think the Government are quite right in placing payment of the tithe on the landlord instead of on the tenant. That seems to me to be a very simple proposition, and I, for one, am of opinion that half the rates ought to be put upon the landlord in the same way. I am sure the Government will give great satisfaction to their followers and to the agriculturists at large if they will allow the inquiry which is asked for into this matter.

Mr. C. W. Gray

(9.52.) MR. D. A. THOMAS (Merthyr Tydvil): Before this discussion closes, I should like to say a few words upon the question that has been raised. Those who take the same view as myself will either vote against this Instruction or refrain from voting altogether. I have listened to several of the speeches that have been made in support of the proposal, and I have as yet failed to find any argument in favour of the course the hon. Member for Eye proposes to take. In point of fact, we have hardly heard a single word of solid argument in support of the Motion. The view which I entertained upon this subject was well expressed in the course of last Session by the right hon. Gentleman the Member for Mid Lothian, namely, that the tithe is national property, and I think that we must watch with jealous care any attempt to fritter that property away. Those who support the hon. Member for Eye have been very frank in the expression of their views. The hon. Member for Maldon (Mr. Gray) said that for his part he could not conscientiously support any proposal to re-appraise the tithe, and that the term equitable possession is merely a sounding phrase which, in reality, means reduction. We are not prepared to reduce the tithe. If it be necessary to make any alteration in the charges on the land to meet the altered conditions of agriculture, it should come out of the landowner, and not out of the tithe, which is, really, national property, and when this Bill comes into operation that argument will be still more applicable, because the tithe will be a first charge on the land and not on the produce of the land. Any abatement of the tithe must consequently be an increase on the value of the land to the landlord. This is the reason why, if the hon. Gentleman who moved the Instruction insists on going to a Division, I shall feel compelled to vote against it. We who take this view are the more disposed to adopt this course because we believe that we are within a measurable distance of getting this national property devoted to national purposes.

(9.56.) MR. H. GARDNER (Saffron Walden): I think, Sir, that we on this side of the House who are identified with agricultural constituencies are at the present moment between cross fires, whether from the orthodox cannon of Her Majesty's Government or the bombardment of my hon. Friend the Member for St. Pancras. But I would venture to point out to those who take an interest in this particular subject that, for my part, and that of my hon. Friends who have moved and supported the Instruction, we are quite as jealous of the public property as those who oppose it profess themselves to be. We consider the tithe-rent charge to be national property allocated by the State to a specific purpose, and which may be allocated by the State to a different purpose if Parliament should so decide. But we who have some knowledge of the agricultural districts, and have taken some trouble to inquire into this special question, have formed very strong opinions upon it, which are opposed to those of the hon. Members for St. Pancras and Bosworth. If the Liberation Party join with the Church Party in order to wring the last farthing out of the land, it is probable that in the rural districts there will arise an agitation for the abolition of tithes altogether. This is what has already taken place upon the Continent, and our predecessors in bringing on and passing the Commutation Act of 1836 were fully alive to what was then taking place in the South of Europe. Lord J. Russell referred to the case of Austria, where an anti-tithe agitation was then going on. He pointed out that an agitation was then proceeding against the payment of tithe in that country, an agitation which, even at that time was likely to come to a successful conclusion. We know now that that agitation has succeeded all over the Continent, and that successful agitation furnished a sufficient warning to those who are engaged in passing the Act of 1836, which was supposed to include some reduction of the *corpus* of the tithe. Hon. Members on both sides of the House agreed to that reduction in 1836 because they saw, as some of my hon. Friends on this side do not see at the present moment, that if they did not agree to pay a tithe they were likely to lose that portion of the national property altogether. It is absurd to call this a landlords' question. [*Cries of* "Question!"] I feel sure the House will admit that I am applying myself distinctly to the Instruction, which is the question now before us. Hon. Members say this is purely a landlords' question, but let those hon. Members go down to the rural districts and hear what the farmers have to say on the subject. You may tell them that it is theoretically and logically a landlords' question, but you will never convince the farmers of the Eastern and Southern Counties or any of the corn-growing districts, that the money comes directly out of the pockets of the landlords, and not out of the produce of the land. In other words, they believe that an excessive tithe is a hindrance and injury to agriculture, and not a mere matter of debit and credit on the landlords' bankers' books. I support the Instruction of my hon. Friend for this reason, that I am certain that any revision of tithe must include a preliminary inquiry as to whether a revision is necessary or not. One special argument that has been put before the House on the present occasion has never been answered by any Member who has spoken on this subject, and I am assured that the agricultural constituents would very much like to hear some definite and distinct statement of the Government upon it. In my opinion, the great argument for any inquiry into the Act of 1836 is this, and it goes to the vital principle of that Act, namely, if we can show that our predecessors were wrong in calculating what should be taken as the measure on which the tithe rent-charge should be valued, we must admit that we have gone into the central principle of the measure of 1836 in order to make out some of the grounds on which we say that the inquiry asked for should be granted by the Government. The argument is this, that by the choice of the three cereals—wheat, barley, and oats—in the Act of 1836 it was intended that the tithe rent-charge should in the future be a fluctuating amount, in the same way as tithe in kind had fluctuated in the past. And that contention is borne out by the speech of Lord Lansdowne—to which I have referred—on the occasion of the Second Reading of the Tithe Rent-Charge Bill in the House of Lords. And if it be true that the three cereals were taken because it was the intention of the framers of the Act that the tithe rent-charge should in the future fluctuate, it must be obvious to the House at the present moment that the mode of taking the corn averages as proved by the evidence brought before the Committee, and as recognised by everyone who understands agricultural matters—is utterly and entirely wrong. If the tithe rent-charge is to fluctuate according to the produce of the soil, you must take the whole of that produce. The right hon. Gentleman the President of the Board of Trade shakes his head at that argument, but let us take the converse way and see how it works out. If the three cereals were not chosen in order that the tithe should fluctuate as it had done in the past, why, then, were they selected? We are told it was because they considered at that time that the three cereals would be less fluctuating in the ratio of exchange of other articles than money. In other words, our predecessors in 1836 imagined that money—that gold—would depreciate in the future as it had done in the past, and they imagined so with some reason and justice: for as we have been reminded by the hon. Member for Faversham, the iniquitous Free Trade Bill had not been passed, and at that time, too, they had no idea that giant steamers would travel across the ocean with cargoes of corn, and accomplish the journey in a few days. Therefore, they thought that though the population of the country might increase, the value of corn would not decrease, though that of gold might do so. What has happened? At the present moment is there any sound financier who would take corn as a stable standard of value? Absolutely the reverse of what was anticipated by our predecessors who carried the Act of 1836 has come about. If you say it is wrong that the corn averages were intended to fluctuate as the tithe had fluctuated in the past, or, if you take the converse of the proposition, that the three cereals were chosen as the stable standard of value, you will see that the conclusion is utterly wrong. These are arguments which should receive some answer from the Government. If either of them be true, then it is obvious that the Act of 1836 has failed in a very vital principle. The fact of the matter is, that Her Majesty's Government have stood on very firm ground as long as they called the Act of 1836 a solemn covenant, but as they have chosen to open it without being asked they have lost that sound basis. Having done so, they cannot deny that the question of having some inquiry is, at all events, deserving of attention.

*(10.9.) SIR J. GOLDSMID (St. Pancras, S.): It has been suggested that this Instruction has been brought forward in the interests of the tenant farmer, but I think I can show from experience it is nothing of the sort. I believe it is absolutely in the interests of the landlord. We were told just now that land is not affected by the payment of tithe. The fact is, that as a result of the passing of the Extraordinary Tithe Redemption Bill, which made the landlord liable for the extraordinary tithe, the tenant simply asks the landlord what the rent is, without going into the question of what that tithe is which the landlord pays. That has been the case with regard to extraordinary tithe, and it will happen in this case also. Therefore, I think it is in the interest of the tenant that this Instruction should not be carried. The Government have determined to examine into the question of redemption; and, for my own part, I do not

see why the landlord should not be allowed to redeem this tithe, with which he alone is concerned, as he has been allowed to redeem the extraordinary tithe. The working of the Bill for the redemption of extraordinary tithe has been of immense advantage to the tenants, and if the Government follow the course they have promised, equal advantage will, I believe, accrue from the redemption of the ordinary tithe. I do think, then, that the adoption of this Instruction can only do harm to the tenant.

(10.15.) MR. A. J. WILLIAMS (Glamorgan, W.): As I had the honour last Session of seconding the Instruction which the hon. Member for Eye has again moved, I venture again to address the House upon this very complicated subject. But I will not occupy the time of hon. Members more than a few minutes in explaining my attitude in regard to this Instruction. If I thought for one moment that the revision of tithe was going to reduce the aggregate value of what in Wales, at all events, we look upon as national property, I should not support the Instruction, but I am convinced that it will not have that effect. If I understood the Instruction to mean simply that you are to go into the question of the amount of tithe now payable in such counties as Essex, Suffolk, Hampshire, and Wiltshire, which are suffering, as I think unfairly, through the methods of taking the proportion of the produce of the land to be paid, I would not vote for it; but I understand it to be a question of a re-consideration of the way in which averages are at present taken, with a view, if necessary, to the entire re-valuation of the country as regards this taxation. Surely it is not unreasonable to say that if you begin to tamper with the Act of 1836 the Government ought to include in the inquiry which I understand they are prepared to grant, the whole question of the present tithe averages. Such an inquiry would satisfy the country. Last Session the President of the Board of Agriculture made a significant statement when he warned the House that if an Instruction were accepted with reference to the over-burdened corn-growing districts in the East of England the consequences might be rather awkward for the whole of the tithepaying owners throughout the kingdom. I cannot help thinking that that may be the reason why the Government are not prepared to extend this inquiry. I should like to point out that if the averages were based on wheat alone, the value of £100 tithe rent-charge of 1836 would now be £59 13s.; if based on meat alone it would be £133; if on meat and wheat together it would be £96; while if on wheat, meat, barley, and oats, instead of £59, it would be £93 6s. I cannot help thinking that if we went thoroughly into the whole question before a Royal Commission, it would mean this, that the tax upon corn-growing areas throughout the country would be largely reduced by spreading it over the whole produce of the land.

(10.21.) MR. PICTON (Leicester): My hon. Friend who spoke last is apparently in favour of the creation of a new tithe altogether. I think that that is a totally unacceptable idea. My hon. Friend the Member for Saffron Walden concluded his speech by saying that the Government were tampering with the settlement of 1836. I cannot acknowledge that for a moment. They are simply enforcing what was understood in 1836, namely, that the landlord should pay the tithe. But my hon. Friend, in order to press on the Government the necessity for making this revision, dealt with the very great changes which have taken place in agriculture in modern times. It was just because the statesmen of 1836 felt that changes were coming on that they sought to make a settlement once for all which need not ever be disturbed. It is well-known that the tithe owners at that time thought they were making a great surrender, for they naturally expected that agriculture would improve, and that that improvement would lead to an increase in the value of the produce. But Lord John Russell and other statesmen held at that time that any increase in the value of the produce of the soil should be equally divided between the farmer and the landlord. That, indeed, was the effect of the settlement of 1836, and it, therefore, seems to me that the arguments as to changes in the system of agriculture are irrelevant. My hon. Friend asks for an inquiry which is to result in what he calls an equitable revision of tithes. Does he mean lowering the tithe in one place and raising it in another? We all know that the raising of it is impossible, and therefore what my hon. Friend means is simply a reduction of the tithe. I maintain that the nation owns the tithe, and that to reduce it would be simply to rob the nation of it, and against that I must most emphatically protest. We have heard a good deal about this being a burden on agriculture. But is it a burden on agriculture to put a charge on the landlord? Of course, if you put a specially unfair charge on the farmer I can understand its being a burden on agriculture. But that is not the case with the landlord. If the landlord's interest in the land does not yield him a legitimate return for his capital then he can make the land over to the public. It is not necessary for him to hold it as a losing concern. Regarding the Amendment of my hon. Friend as a movement towards the reduction of tithe, which I contend would be a robbery of the nation, I shall certainly vote against it.

*(10.28.) THE PRESIDENT OF THE BOARD OF TRADE (Sir M. HICKS BEACH, Bristol, W.): I do not think I ever listened to a Debate in which the proposition before the House was so conclusively negatived on its own merits by those who supported it. The Motion is that it should be an Instruction to the Committee that they should have power to insert clauses in this Bill providing for an equitable revision of the tithe in accordance with the altered conditions of agriculture. Therefore, it is reasonable to conclude that before this Motion was placed on the Paper its supporters had some definite idea as to the way in which they would carry out their views, and were prepared with clauses for that object. But now the hon. Member who placed the Motion on the Paper, and the hon. Member for Saffron Walden who supported it, indicate that what they really want is an inquiry into the matter. I confess I cannot understand why the Member for Saffron Walden, if he desires an inquiry and is not prepared with clauses, did not move the other day the Motion of which he has given notice. The hon. Member's speech to-day was an echo of what he said on Monday. The whole pith of it was a desire for an ideal revision of tithes. The hon. Member for Suffolk has repeated the speech he made last Session and on Monday, and I do not think, therefore, it is necessary that I should deal with the arguments of these two hon. Members at any length. It seems to me that the Instruction is a deliberate attempt to kill the Bill. They want to be able to overload the Notice Paper with Amendments upon every conceivable subject relating to tithe, and so to make it impossible to carry the Bill through Committee in any reasonable time. The Bill is smaller than that of last year, and deals solely with an alteration in the liability for tithes and the mode of recovery, and to raise upon it all those questions that have been previously debated would, I think, be an abuse of the forms of the House. Among those questions is, first, that of the mode of taking corn averages. If any hon. Member desires to alter the present mode, and will submit any practical proposals on the point to the House, they will receive fair consideration. But I am bound to say I cannot see how anyone can ascertain the market value of corn that is never taken to the market at all, or how it would be possible, considering the great difficulty that is now felt in obtaining Returns from dealers in corn, to alter that system for one under which it would be necessary to obtain Returns from a different and a far larger class of men, namely, the farmers, who sell corn in the first instance. Then there is the question of the proportions of the different kinds of grain which form the subject of the corn averages, and of these cases of special apportionment, owing to which it may happen that one field may have a tithe rent-charge of 10s. per acre, and another next to it only 5s., or 2s. 6d. Next comes the question of revision, which in the view of the hon. Members for Suffolk and Saffron Walden means solely a lowering of the tithes. But, as has been pointed out, if equitable revision means anything it must mean not only the lowering the tithe where it is too high, but raising it where it is too low. That would involve the re-opening of the settlement of the Act of 1836, a course which no Commission would recommend, and which no House of Commons would sanction. If hon. Members want the tithe lowered in cases where there has been great depreciation in the value of land, that is precisely what we propose to do in the third clause of the Bill. If hon. Members are dissatisfied with Clause 3 as it stands,

which provides for revision in certain cases, let them move Amendments to carry out their wishes, and their proposals will be considered. The Government look on that matter as one to be settled by the House on its merits, though when the time comes I shall be able to defend the proposals of the Government. We are asked if it would be possible to carry out the provisions of the third clause in relief of the tithepayer without application to the County Court. Of course it would be. The tithepayer can show his assessment to the Income Tax, and if that shows that the tithe is more than two-thirds of the value of the land, no tithe owner would be such a fool as to appeal to the County Court. I do not suppose that in nine cases out of ten there would be any necessity to appeal to the County Court at all. The pith of the Debate has been in the demand for an inquiry. What hon. members seem to desire is that there should be a sort of general and roving inquiry into all the questions I have referred to, including, of course, the subject of the equitable revision of tithes, but I must say at once that the Government are not prepared to assent to such an inquiry. They do not believe that an inquiry into the equitable revision of tithes would lead to any practical result. They believe that the depreciation of agriculture which they deplore ought to be met by temporary relief in the way proposed by the provisions of this Bill. But although the Government propose strictly to confine the inquiry by a Royal Commission to the subject of redemption, yet I entirely agree with what was stated by the hon. Member for Maldon, that an inquiry into the question of redemption must also have regard to the special circumstances of the tithe rent-charge in each particular case. Last Session we proposed to abolish the existing law with regard to redemption, and to enact that the Board of Agriculture should, in certain cases, with the consent of both parties, fix the price at which the tithe rent-charge should be redeemed, and that in fixing that price they should have regard to certain considerations of much the same kind as those taken into account by the Commissioners who carried out the Act for the redemption of extraordinary tithe rent-charge. One of those considerations was any such increase or decrease in the proportion between the annual value of the tithe rent-charge and the annual value of the lands out of which it issues as might affect the security of the rent-charge: and this is a point which, in my opinion, must necessarily come before any Commission dealing with the subject of Redemption. I will not detain the House any longer, and will only further express the hope that the House will reject, by a decisive majority, the Instruction, which is meaningless, because its promoters could not carry it out, and which can only be intended to defeat the Bill.

(10.42.) The House divided:—Ayes 68; Noes 203.—(Div. List, No. 9.)

Bill considered in Committee.

(In the Committee.)

Clause 1.

(10.54.) VISCOUNT CRANBORNE (Lancashire, N.E., Darwen): I would ask the President of the Board of Trade whether he cannot tell the House precisely when the consideration of the Bill in Committee will be resumed, or give an assurance, at any rate, that the Government will proceed with the Bill and pass it into law with all dispatch.

MR. LABOUCHERE (Northampton): Message from Lord Salisbury!

*SIR M. HICKS BEACH: We will proceed with the Bill on Thursday, January 22.

Committee report Progress; to sit again upon Thursday, 22nd January.

TRANSFER OF RAILWAYS (IRELAND BILL.—(No. 113.)

Bill considered in Committee.

(In the Committee.)

Clauses 1 to 16 agreed to.

Clause 17.

(10.59.) MR. STOREY (Sunderland): I listened with a great deal of patience to the different clauses being read from the Chair, and made no objection to them, because I know they are formal, but Clause 17 stands in an entirely different position, and I am surprised that it should be passed over in silence by the Minister in charge of the Bill. The object of the Bill is to transfer the undertaking of certain Tramway Companies to existing Railway Companies. Clause 17 is, however, of a different character. I will read the clause:—

"Where the Treasury in pursuance of the Light Railways (Ireland) Act, 1889, have agreed with the promoters of any light railway that the undertaking of the promoters shall be aided by a capital sum out of public money, the sections of the Lands Clauses Consolidation Act, 1845, with respect to the entry upon lands by the promoters of the undertaking shall apply to the land which the promoters are authorised to take, and the Treasury, on the request of the promoters, shall cause to be paid into the Bank, out of such capital sum, any sum required to be deposited in the Bank for the purpose of those sections, and where the sum claimed, or if no sum is claimed, the total value of every estate and interest in the land does not exceed *one hundred pounds*, the amount to be deposited may be determined by two justices."

This clause relates to an entirely different set of light railways to that with which the rest of the Bill deals. The rest of the Bill deals with existing undertakings, the construction of none of which has been wholly provided by public money—given not lent. ["No, no!"] We shall see that as the discussion proceeds. There is not a single undertaking that I know of where the whole of the money is provided for out of public money, with the single exception of a railway to be made under the "Light Railways Act" of 1889, and although it may be desirable to transfer the powers of existing promoters under the old arrangements, yet it cannot be desirable that the House should without full explanation consent to a clause such as this. The clause deals with lines the cost of which is borne by the Public Exchequer—a free gift. We know that in a large number of cases the barony provides nothing, the county provides nothing, the ratepayers nothing, and the promoters nothing, the Railway Company nothing—the whole of the money is to be given. ["No, no!"] I know as a matter of fact it is so. Perhaps the hon. Member for South Tyrone can give us an explanation. It was said that it was impossible to make the railway as a paying speculation, and, therefore, the public were asked to give the whole of the cost. ["No, no!"] I take the most glaring instance—this Galway and Clifden Railway. This is a railway that includes 76 miles of line, and I am not incorrect in saying that the total cost is something like £440,000, and every penny of that is coming out of the Public Exchequer as a free gift. There was an idea of a small sum being guaranteed, but even that has been abandoned; and the fact stands that the railway is to be made by public money alone. I say it is improper to interpolate in a Bill dealing with a different class of cases a clause having this effect, that it enlarges the power already given by the Act of 1889 and Act passed last August, and makes further arrangements under which the money to be paid for the land on which the railway shall be constructed shall be provided by the Public Exchequer. I am going to contest the clause by way of an Amendment, that if the public provide the cost of construction the landlords through whose land the railway runs should give the land for nothing, or, at the outside, at something like 16 years' purchase of the net agricultural value of the land. In order that I may have time and opportunity, as we ought to have in such a matter, to put Amendments in form, I beg to move that you, Sir, do now report Progress.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Storey.*)

*(11.5.) THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.): I am very sorry that the hon. Member before making the statement he has made should not have taken some pains to inform himself, as he might easily have done, of the facts of the case by reading the clause to which he takes exception. The hon. Member states that the clause relates to an entirely different class of railways to those in other parts of the Bill. Now, if he will read the clause he will find that all it does is really to give power to get earlier possession of the land necessary to be acquired for the railway. It is merely a machinery clause. The hon. Member shakes his head, but if he will only read the clause he will find I am correct. I think, as a rule, we may anticipate that there will not be much difficulty in getting possession of the land for the railway. The hon. Member has spoken as if the difficulty was in dealing with the landlord's interest, but the difficulty is not with the landlord, but the occupier. All the clause does is to give us power, on payment into the bank of the sum of money assessed by a valuer to be appointed, to take possession of the land at once. It deprives the

occupier of none of his rights, it leaves him full power to traverse the valuation, but what it is intended to do, and what I hope it will do, is to facilitate matters in the case of an occupier who might stick out for exobitant terms, and provide that the construction of the line shall not be delayed until all processes are gone through. That is all the clause does, and really the question the hon. Member has raised, drawing a distinction between promoters and others, has nothing to do with the clause. The clause applies to existing Railway Companies as to promoters of a line under the Act. Of course, there are promoters on existing Railway Companies and other bodies. When the time comes to discuss this freely, I shall be prepared to defend the arrangements made as regards all the railways, feeling satisfied that the judgment of the House will approve them.

(11.13.) Question put, and negatived.

Motion made, and Question proposed, "That Clause 17 stand part of the Bill."

(11.15.) DR. CLARK (Caithness): I take it that the explanation is that when the Treasury has agreed with the promoters to find all the money, this clause permits them to find the money to pay for land. My hon. Friend wants to provide a limitation that they shall not provide 30 years' purchase. There ought to be some limitation in the price to be paid for the land, the tenant's right, and the landlord's right. It is an important point, and demands discussion on amendment now or on Report.

*(11.15.) MR. JACKSON: So far as the Treasury is concerned, there cannot be an exorbitant price paid for the land. There is no limitation, because the amount agreed upon between the Treasury and the promoters is in itself a limited sum, and, therefore, whether the promoters pay a high rate or a low rate for the land is immaterial to the Treasury.

(11.16.) MR. STOREY: That is a fair statement in regard to all the arrangements already made. Take the railway to which I have referred. The Treasury have agreed upon a sum, and it is clear that is the whole sum that the Railway Company will get, and if they pay too large a sum for the land it is clear there will be a loss to the promoters. But the clause not only relates to agreements already made, it may relate to agreements yet to be made, and a limitation will enable the Treasury to make better bargains in the future. I think the right hon. Gentleman knows that he has made a shocking bargain with this Galway line, and has spent far more public money than he had need. This was partly due to the absurd provisions in the Light Railways Bill, the Bill we tried to kill. But for those provisions independent promoters might have made the line. But by the provisions of their Bill the Government were thrown back on the Railway Company, and the company, taking advantage of the position, exacted a large sum. A limitation would strengthen the Government in making a better bargain next time, and, therefore, I move this limitation to the clause—

> "Such sum shall not exceed 16 years' purchase of the net agricultural value of the land."

THE CHAIRMAN: The question has been put that the clause stand part of the Bill, and it is too late to move an Amendment to the clause. Moreover, such an Amendment as is proposed would not be relevant to the clause.

(11.17.) COLONEL NOLAN (Galway, N.): I think the hon. Member has created some confusion in reference to the line in question by lumping the property together. It is true the Berridge property is worth very little—

THE CHAIRMAN: This discussion is entirely wide of the clause.

(11.20.) The Committee divided:—Ayes 224; Noes 22.—(Div. List, No. 10.)

Bill reported, without amendment.

*(11.31.) THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): I wish to make an appeal to the House to read this Bill a third time. It is exceedingly important that the provisions of this measure should become law without any possible delay. The House is aware that the present Sittings may be limited. The Bill has to go to another place, and it will therefore be very desirable indeed that we should read it a third time to-night.

Motion made, and Question proposed, "That the Bill be now read the third time."—(*Mr. W. H. Smith.*)

(11.32.) MR. STOREY: I thought it necessary to make the protest I did make against one clause of the Bill, but, personally, I have no objection to the Third Reading.

Question put, and agreed to.

Bill read the third time and passed.

PRIVATE BILL PROCEDURE (SCOTLAND) BILL.—(No. 114.)]

SECOND READING.

Order for Second Reading read.

*(11.33.) MR. W. H. SMITH: Objection has been taken on the other side of the House to proceeding with this Bill in the course of the present Sittings. I had hoped there would not have been this objection, but, of course, I am bound by the engagement I entered into with the House that only certain measures should be proceeded with at the present time, and, therefore, if the objection made by certain Members from Scotland is persevered in I must postpone the further consideration of the measure until after Christmas. I regret very much that I am obliged to do so. I had hoped this was a measure that would have been received with favour in all parts of the House, or, at least, that it would have been accepted by the House, and that any objections that might be made to its provisions would have been dealt with by the House. But, if as I understand, hon. Gentlemen persevere with their objections, I have no alternative but to postpone the further consideration of the measure.

(11.34.) MR. MARJORIBANKS (Berwickshire): I cannot admit the justice of all the right hon. Gentleman's remarks. These Sittings were held under a pledge that only certain measures should be proceeded with, and I think we are justified in holding the Government to that pledge. We do not enter into the question of the desirability or non-desirability of the present measure. We only desire to hold the Government to the pledge they gave.

DR. CLARK (Caithness): May I point out to the right hon. Gentleman that this is one of the most revolutionary Bills ever introduced into this House? It takes away from the House powers which it has always had until now. This is the second time such a thing has been done. On the first occasion the hearing of Parliamentary Election Petitions was handed over to the Judges. I certainly object to the powers of the House with regard to Railway Bills being transferred to Commissioners or Boards. We do not want any more Commissioners or Boards in Scotland, as we are overdone with them already.

Second Reading deferred till Thursday, 22nd January.

SOLICITORS' MAGISTRACY BILL. (No. 80.)

SECOND READING.

Order for Second Reading read.

(11.35.) Motion made, and Question proposed, "That the Bill be now read a second time.—(*Mr. Maclure.*)

MR. CONYBEARE (Cornwall, Camborne): I understood when I was last in the House that the Government were not going to allow any private Members' Bills to be taken before Christmas.

*MR. W. H. SMITH: I would, with the permission of the House, appeal to my hon. Friend to postpone the consideration of this Bill on the ground which has just been stated to the House. It is undoubtedly a fact that I appealed to the House to consider only the Government measures, and that I stated what those measures were; I would appeal to my hon. Friend not to press the consideration of his measure.

(11.36.) MR. MACLURE (Lancashire, S.E., Stretford): I cannot refuse to obey the orders of my chief, and I shall be happy to postpone the measure till the 22nd January, when I believe it will be unanimously adopted.

Debate adjourned till Thursday, 22nd January.

DRAINAGE AND IMPROVEMENT OF LAND (IRELAND) BILL.—(No. 66.)

SECOND READING.

Order for Second Reading read.

(11.37.) Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. M. Healy.*)

*MR. W. H. SMITH: I would appeal to the hon. Member on the ground I have already stated not to press this Bill.

MR. M. HEALY (Cork): This is a Bill which has been agreed to by the Government. It consists, in fact, of a clause taken from one of the Drainage Bills of the Government last year. Seeing that distress in Ireland is imminent, I trust the Government will allow the Bill to be read a second time.

(11.38.) THE ATTORNEY GENERAL FOR IRELAND (Mr. MADDEN, Dublin University): No doubt the hon. Gentleman is accurate in saying the Bill was accepted by the Government last Session, and will be in proper time accepted by the Government this Session. This is not, however, the time for pressing it.

MR. M. HEALY: Of course it is useless to attempt to fight the many legions of the Government.

Debate adjourned till Thursday, 22nd January.

POLLEN FISHERIES (IRELAND) BILL.

(No. 91.)

COMMITTEE.

Order for Committee read.

(11.39.) MR. MACARTNEY: My Bill stands in a different position. I deferred to the Government the other night when I was asked to refrain from passing it through Committee. There is no objection to it in the House.

*MR. W. H. SMITH: I must appeal to my hon. Friend on the grounds I have already stated not to press the Bill. The Government support the measure, but they cannot consent to its being taken to-night.

MR. McCARTAN (Down, S.): I would appeal to the Government to give this Bill their consideration. Unless it is passed, the fish in Lough Neagh will suffer great injury.

Committee deferred till Thursday, 22nd January.

MOTIONS.

CORPORAL PUNISHMENT BILL.

On Motion of Mr. Milvain, Bill to amend and consolidate the Law relating to Corporal Punishment, ordered to be brought in by Mr. Milvain, Sir Matthew White Ridley, Sir George Russell, and Mr. Wharton.

Bill presented, and read first time. [Bill 149.]

SLANDER OF WOMEN BILL.

On Motion of Mr. Milvain, Bill to amend the Law relating to the Slander of Women, ordered to be brought in by Mr. Milvain, Mr. Shiress Will, Mr. Gully, Mr. Robert Reid, and Mr. Pickersgill.

Bill presented, and read first time. [Bill 150.]

EDUCATIONAL ENDOWMENTS (IRELAND) RAINEY SCHOOL, MAGHERAFELT.

*(11.40.) MR. T. W. RUSSELL (Tyrone, S.): I am exceedingly sorry to detain the House for a very few minutes on a question affecting one of the schemes of the Endowed Schools Commissioners in Ireland. I hope the Debate will be a very short one, and as I understand that there will be a practical consensus of opinion in my favour, so far as the Irish Members are concerned, and even as far as the Ulster Members on the Government side of the House are concerned, I hope the Government will see their way to make the small concession asked for by my resolution. I do not make a claim on behalf of any locality in Ireland. I make it on behalf of the entire Presbyterian community, represented by the General Assembly of the Presbyterian Church in Ireland, numbering at least half a million of people. They ask not for any favour, but for simple justice, and for the restitution of what is their own. The facts are exceedingly simple. One Hugh Rainey died, I think, in the year 1708. By his will he left a freehold estate of the value of £400 per annum. Some of that went to his representatives, and the residue he devised for a school for boys in the town of Magherafelt, County Londonderry. The school was established, and is in existence now, but it has a very peculiar history. That Hugh Rainey was a Presbyterian is beyond all manner of doubt. The Endowed Schools Commissioners admit that, at least they do not deny it, but the simple matter of fact is that Mr. Hugh Rainey was a ruling elder in the Presbyterian congregation at Castledawson. The question arises, what kind of a school did he intend to set up under his will, and under what kind of auspices did he intend it to be conducted? I think I shall prove that beyond all possibility of dispute out of the scheme sanctioned by the Commissioners. In his will, Hugh Rainey, after providing for the setting up of a school, directed that two old and good men, known Christians, such as feared God, and were qualified to read the Scriptures, sing Psalms, and instruct boys, should be appointed and maintained, and that if any such old men should be found defective or unable to perform such duties, he should be replaced by a person selected by the Presbytery of Ulster. I have not only proved that Hugh Rainey was a Presbyterian, but that he intended this school to be con-

ducted under Presbyterian auspices. The startling part of the matter comes in now. In the year 1713, five or six years after the old men's death, an Act of Parliament was passed, the second of George II., Chapter 2, which vested this Presbyterian endowment of £177 a year, not in the Synod of Ulster, but in His Grace the Archbishop of Armagh. and Primate of all Ireland. From that day the Episcopalian Church of Ireland has been in possession of this purely Presbyterian endowment, and at the present moment the Rector of Magherafelt, and not the Presbyterian minister, is in charge of the school. In that position it came before the Endowed Schools Commissioners who inquired into and reported upon it. The Commissioners were brought face to face with the facts I have stated. They could not agree, and the scheme as it is framed is not the work of the entire Commission, it is the work of the two Judicial Commissioners, Lord Justice Fitzgibbon and the late Lord Justice Naish. Those two distinguished lawyers said that if Rainey's endowment was alone to be dealt with and the intentions of the founder were to be regarded they would have considered it their duty to place the institution under Presbyterian management. That gave away the whole case, for it was a distinct admission that this was a Presbyterian endowment. They added, however, that £177 per annum was found not to be sufficient for the maintenance of the school, and that the Salters Company, on whose land the school was built, intervened and gave an additional sum of £66 per annum in aid of the original endowment. Granting that this complicates the matter a little, I say the Presbyterians are in an enormous majority in County Derry, and they are fairly entitled to their share of the Salters' endowment. Will the House believe that in framing the scheme the two Committees actually so arranged the Board of Governors that the Episcopalian's were given the majority of the Board, and therefore the whole control of the school? The Primate of all Ireland was made Chairman of the Board, and practically the entire control of the school was given to the Episcopalians. That is substantially what I have to bring before the House. The Presbyterian Church do not object to this being a mixed school. They do not object to the Episcopalians being represented on the Board of Governors — far from it. Their claim is simply this, that as the endowment was originally a Presbyterian one, and as the small addition to the endowment by the Salters Company cannot affect the real issue, the Presbyterians have an undoubted right, not to the second place on the Board of Governors, but to the first place. The Chief Secretary has disappeared, but I think I know what the Attorney General for Ireland is going to say. I don't know whether he is going to speak as the representative of the Government or of Trinity College, but I know what his case will be. The doctrine of user commends itself to all legal minds, and I suppose the right hon. and learned Gentleman's case will be that, inasmuch as his Grace the Archbishop of Armagh, and Primate of all Ireland, grabbed this endowment in 1713—— [*Cries of* "Grabbed?"] I have no other word for it, and I refuse to withdraw it unless Mr. Deputy Speaker calls on me to do so. I say it with no ill-will to the Episcopalian Church in Ireland. My constituents are largely Episcopalian; but I say this annual endowment passed unjustly and unfairly into the hands of the then Established Church of Ireland. I do not hink that in this House the legal doctrine of user should be allowed to ride over the moral claim of the Presbyterians to this endowment. I entreat Conservative Members not to sanction a proceeding of this kind. I may be told that the matter was argued before the Privy Council, and that the Privy Council decided against us. What is the Privy Council? The Presbyterian Church has only one representative on the Privy Council of Ireland. There is room found on that Council for every class of Episcopalians and Roman Catholics, but to get a Presbyterian merchant on it is almost impossible. I beg this House to undo the work that has been done, and to establish justice in this small matter in the province of Ulster. I move the Motion standing in my name.

Motion made, and Question proposed,

"That an humble address be presented to Her Majesty, praying Her Majesty to withhold Her consent from that part of the Scheme of the Educational Endowment (Ireland) Commissioners for the administration of the endowment in the town of Magherafelt, known as the Rainey School, in so far as the proposed composition of the Board of Governors is concerned."—(*Mr. T. W. Russell.*)

*(11.55.) THE ATTORNEY GENERAL FOR IRELAND (Mr. MADDEN, Dublin University): In the short statement I have to make to the House, I think I can show that the arrangement come to by the Charitable Endowment Commissioners, and confirmed by the Privy Council, ought to satisfy the House, and that the decision which was come to was a fair and reasonable one. No doubt the original foundation of the school was Presbyterian. In the time of George II. an Act of Parliament was passed dealing with the question, and from that time to the present day the school has ceased to be a Presbyterian school, and has become, rightly or wrongly, an Episcopalian one. It is not necessary to consider whether it had rightly become so. The Education Commissioners and the Privy Council have recognised the right of the Presbyterians in this matter, and they have made that full restitution which ought to be made in the circumstances of the case. After the passing of that Act the school-house was permitted by the managers to fall into decay, the rent-charge had become insufficient, and it became unsuitable for the reception of pupils. In 1862 the Salters' Company entered into an arrangement for the building of the existing school-house on the terms that the scheme should be settled by the Court of Chancery. In accordance with that arrangement, in 1863, the then Lord Chancellor of Ireland settled a scheme under which the entire management of the charity devolved upon the Archbishop of Armagh, and the local management of the school was committed to the Rector of Magherafelt. The arrangement was arrived at under judicial sanction in 1863, and it was with this state of facts that the Charity Commissioners had to deal. They said, in effect, "We will not consider that this is an exclusively Episcopalian endowment, as doubtless it has been for more than a century; but we will have a fair regard for the original foundation and the population of the district, and will equally divide the Governing Board between the Presbyterians and the Church of Ireland." Now, the Governing Body to which my hon. Friend objects, as settled by the Commissioners, consists of four *ex-officio* Governors, who are the Archbishop of Armagh (Dr. Knox), the Moderator of the General Assembly, the Episcopal Minister who is the Incumbent of the Parish of Magherafelt, and the officiating Minister of the Presbyterian congregation of Magherafelt. Can anything possibly be fairer than that?

*MR. T. W. RUSSELL: What about the Chairmanship of the Board?

*MR. MADDEN: I am coming to that matter in due course. As to the other half of the Board, the representative Governors are also equally divided.

*MR. T. W. RUSSELL: I quite admit that the Board is fairly divided; but after having been so divided it is provided by the scheme that the Primate of Ireland shall be the Chairman for life, and that position gives him the casting vote, whereby the Episcopalians are practically invested with the entire government of the school.

*MR. MADDEN: It is provided that so long as the Most Reverend Dr. Knox shall hold the office of Archbishop of Armagh he shall continue to be Chairman. The sole point that appears to be raised by my hon. Friend appears to be that the *status* of the Archbishop is to be preserved during his life. That seems to be the hon. Gentleman's only objection. I submit that in fairness no better course could have been taken. The Archbishop of Armagh has been the Chairman of the Governing Body for more than a century, and it does not seem unreasonable that the present Archbishop should continue in that position during the remainder of his life. The endowment is one which no doubt was originally a Presbyterian endowment, but since its foundation it has been very largely added to, and, in fact, almost doubled from other sources. The Commissioners, finding themselves in this position, divide the management between the two bodies equally, retaining the present chairman for life. It would, in my opinion, have been an act of injustice to have taken away from the Archbishop the position he and his predecessors have so long held. After the present Archbishop the person holding that position instead of being the head will merely become one of the Governing Body. I appeal to the House not to assent to the Motion of my hon. Friend. The case is one that has been thoroughly threshed out, and in the fullest detail, by the able Counsel who represented the Presbyterian Body before the Commissioners, while previous to that the whole matter had received the careful attention of the Commissioners of Charitable Endowments. The Report was signed by two eminent Judges, the late Lord Justice Naish, one of the fairest-minded men who ever sat on the Irish Bench, and Lord Justice Fitzgibbon, who is one of the ablest and most distinguished Judges in Ireland. They fully examined the case, and the result is that we have before us what I trust the House will regard as a fair decision, equally apportioning the government of the school between the representatives of the Church of Ireland and Presbyterian Church. Under all the circumstances, I appeal to the House not to take upon itself the responsibility of reversing a decision which has been come to after so much argument and consideration. I may add that this is the only case in which the decisions of the Irish Commissioners have been questioned in this House. The conclusions arrived at by the Commissioners are such as have hitherto commanded the general confidence of the country. The matter now under consideration is one that has been well threshed out and considered, and, submitting that the decision arrived at is one that is fair and just to the interests concerned, I venture to hope that the House will refuse its assent to the Motion of my hon. Friend.

(12.8.) MR. DICKSON (Dublin, St. Stephen's Green): I wish to remind the House that this endowment was originally a Presbyterian endowment, and that we Presbyterians, in asking that it should be restored to our control, are merely asking for our own. The Attorney General for Ireland has referred to the Privy Council. I am afraid I have not so high an opinion of the decisions of the Privy Council as the right hon. Gentleman seems to entertain. A case in point occurred in connection with the Royal School of Dungannon. The Privy Council, under the dictation of the Archbishop of Armagh, altered the scheme in connection with the Dungannon School, and deprived us of our position as the controlling authority on the Board of Governors. I gave notice that I would dispute their action when the scheme came before the House for confirmation. What was the result? Why, when the Privy Council knew that I should have 85 Irish Members to support me in the action I had intended to take, they quietly altered their decision and reverted to the original scheme. Therefore, unlike the right hon. Gentleman the Attorney General for Ireland, I do not regard the decisions of the Privy Council as resembling the laws of the Medes and Persians. I say that in this case also we are entitled to the control of the school. We wish the school to be a mixed school. We are anxious to see both Presbyterians and Episcopalians fairly represented on the Board of Government, and, therefore, we do not want the Archbishop of Armagh to have the controlling power over the decisions of the Board. The hon. Member for South Tyrone (Mr. T. W. Russell) has lightly described what is going on as simply grabbing at the Presbyterian endowments; at least three-fourths of the endowments originally left to Presbyterians have been grabbed in the same way by the Episcopalians, and had we Presbyterians received fair play our position in connection with the schools in the Province of Ulster would have been very different from what it is. I trust that hon. Members on both sides of the House will fairly consider this matter, and join the hon. Member for South Tyrone and myself in endeavouring to do an act of justice to the Presbyterians of Ulster by giving them the control of their own property.

(12.14.) COLONEL WARING (Down, N.): I rise for the purpose of supporting the Motion of the hon. Member for South Tyrone, and in doing so I cannot but express a certain amount of regret at the vehemence with which this Motion has been not only supported, but has been met by the right hon. Gentleman the Attorney General for Ireland. I think that in a matter of this kind it is very undesirable to import vehemence of tone or language, or in any way to give to the question at issue a personal character. There are two grounds upon which I desire to support this Motion. I have two grounds for supporting the Motion—sentimental and practical. As an Irishman, I have a right to take the sentimental one first. I am a lineal descendant of Hugh Rainey, and were he here—and he would probably be more effective in the flesh than in the spirit—he would support the proposition now before the House. On the practical ground of the unity of Protestantism, I support the proposition. In the year 1708 unfortunate differences — now, happily, dead and gone—divided us; and I hope, now that unity has been restored, these small causes of friction will not be allowed to interfere with it. The hon. Member who moves this Resolution does not belong to the section of the Church interested in the matter any more than I do. I support the Motion simply because I hope that the Presbyterians would support me if I made a claim to an endowment that was clearly Episcopalian. I hope the House will allow the matter to be referred back to the Commission for re-consideration.

(12.18.) MR. W. P. SINCLAIR (Falkirk, &c.): Sir, how is it the Archbishop of Armagh is imported into the consideration of this endowment at all? The fact of the matter is, it is due to the Penal Laws of the 18th century, under which Presbyterians could not hold property; therefore, they were obliged to put their property in trust, and who better than the head of the Episcopalian Church? No doubt that was the feeling at the time of which I speak, and I am sorry that feeling has not continued. I think if we revert to the position which existed at the time when the Archbishop was asked to take the property in trust we shall be doing the right thing. Knowing as I do the feeling of not only Presbyterians, but members of other denominations and Episcopalians, I trust the House will decide in favour of the Motion of my hon. Friend, and reverse the decision of the Irish Court.

(12.20.) MR. RENTOUL (Down, E.): The argument of the Attorney General for Ireland rests chiefly on the decision of the Privy Council. I wish to give two or three reasons why Parliament should interfere. This may be considered a trivial and trumpery matter, so far as concerns the money involved, but it is a question in which half a million of the Presbyterians of Ireland take the deepest interest. The decision of this House will not be a trumpery matter. The Rector of the parish, the very man who is at the bottom of this whole matter, appeared before the Commissioners, and he was asked this question—

> "Do you think that a substitution of the reference of the Synod to Ulster by placing the management in the hands of the Archbishop was right?"

The Rector did not dare to answer that it was right. He said—

> "That was done by Parliament 100 years ago, and I think it would be very indecorous of me to express an opinion in the face of that."

What did Parliament do 100 years ago? It appointed by a Private Act the Archbishop of Armagh as receiver of the money, and decreed, further, that he should carry out the trusts of the will. In spirit the Archbishop has absolutely ignored the trusts of the will from that day to this, the trust being that the teachers should be sought from the Presbyterians of Ulster. Again, I think the House should interfere, because the school has been a complete failure. The Attorney General said that the Salters' Company found the school in ruins. It is absolutely at the present moment, not physically, but mentally in ruins. Out of 320 pupils that have been in the school since intermediate education began in Ireland, only 29 have passed. Again, the House should interfere in behalf of the Presbyterians, because the Episcopalians, who claim to have a majority in the management of this school, are the minority of the inhabitants of the parish. The Rector, in reply to the Commissioners, said the Episcopalians were a third of the population of the parish, but these are the figures: Presbyterians, 2,098; Roman Catholics, 1,730; Episcopalians, 1,462. The Presbyterians are as seven to five, and with that proportion of representation will we be content? A strong argument against us is that of user. But that argument cannot apply, because it is founded on a breach of the trusts of the will. If the user can apply under these circumstances, it will be a new doctrine to me. Besides, the Privy Council have completely destroyed the argument of user in favour of complete control by the Episcopalians by giving representation to the Presbyterians. The Attorney General said that great weight should be given to the views of the Salters' Company, because they had come to the aid of the school. But here is an extract from the letter of their

Secretary, Mr. Cartwright, of the 14th December, 1886—

> "The Presbyterian body under the influence of a local Presbyterian minister made a claim to the endowment under Rainey's will, against which I considered that the Church had certainly a perferential claim. The wise liberality of your Grace's predecessor enabled me many years ago to throw open the advantages of the education afforded by the school to children of all religious denominations."

I do not wish to make this a matter personal to the Presbyterians, nor do I wish to say anything against the Episcopalians. I simply state the facts, leaving the House to decide on which side justice lies.

(12.25.) MR. MADDEN: I understand that the result of the Motion being agreed to would be simply to refer the matter back to the Commissioners. I have submitted to the House the grounds on which the Privy Council came to a decision and the reasons why I consider that decision to be a fair one; but as it appears there is a general wish that the decision should be reviewed, I do not think I can any longer oppose the Motion.

MR. T. M. HEALY (Longford, N.): Sir, I only wish to take note of this fact, that on a Motion brought forward by the hon. Member for South Tyrone, and supported by the Unionists generally, the Member for South Derry, who ought to have so much influence with the Government, has thought it convenient to skedaddle, and to leave the question of the rights of Presbyterians on this matter in Derry entirely derelict. [*Laughter.*] I am very glad the Government have seen their way to accept the suggestion, and that the Presbyterians, having fought this matter for a century, have now a prospect of getting justice.

*MR. MADDEN: I wish to correct a mistake into which the hon. and learned Gentleman has fallen. He appears to think I spoke on the part of the Government in this Debate. I did not.

Question put, and agreed to.

Resolved, that a humble Address be presented to Her Majesty, praying Her Majesty to withhold Her consent from that part of the Scheme of the Educational Endowment (Ireland) Commissioners for the administration of the endowment in the town of Magherafelt, known as the Rainey School, in so far as the proposed composition of the Board of Governors is concerned.

To be presented by Privy Councillors.

LAND PURCHASE (IRELAND) ACTS (DEFAULT OF INSTALMENTS).

Return "of Particulars respecting Holdings in Ireland put up for sale by the Land Commission in consequence of failure in payment of instalments of purchase money, in the following form:—

Name of defaulting purchaser.	County and Parish in which holding is situate.	Date of purchase.	Area of holding.	Valuation.	Purchase money.	Amount of Instalments paid.	Amount of Instalments in default.	Date of sale for default.

—(*Mr. John Ellis.*)

LOCAL BANKRUPTCY (IRELAND) AMENDMENT BILL.

On Motion of Mr. M'Cartan, Bill to amend the Law relating to local Courts of Bankruptcy in Ireland, ordered to be brought in by Mr. M'Cartan, Mr. Sexton, Mr. Macartney, Mr. Maurice Healy, and Mr. Knox.

Bill presented, and read first time. [Bill 151.]

Mr. Rentoul

LAND LAW (WALES) BILL.

On Motion of Mr. Byrn Roberts, Bill to amend the Law relating to the tenure of Land in Wales, ordered to be brought in by Mr. Bryn Roberts, Mr. Bowen Rowlands, Mr. John Roberts, Mr. Warmington, Mr. Arthur Williams, and Mr. Lloyd-George.

Bill presented, and read first time. [Bill 152.]

House adjourned at half after Twelve o'clock.

HOUSE OF LORDS,

Friday, 5th December, 1890.

TRANSFER OF RAILWAYS (IRELAND) BILL.

Brought from the Commons; read 1ª; to be printed; and to be read 2ª on Monday next; and Standing Orders Nos. XXXIX. and XLV. to be considered in order to their being dispensed with.—(*The Lord Chancellor.*) (No. 15.)

House adjourned at Four o'clock, to Monday next, Eleven o'clock.

HOUSE OF COMMONS,

Friday, 5th December, 1890.

MR. SPEAKER'S CONTINUED ABSENCE.

The House being met, the Clerk at the Table informed the House that Mr. Speaker was again unavoidably prevented from taking the Chair of the House this day.

Whereupon Mr. Courtney, the Chairman of Ways and Means, proceeded to the Table; and, after Prayers, took the Chair as Deputy Speaker, pursuant to the Standing Order.

QUESTIONS.

OUT-STILL LICENCES IN INDIA.

MR. SAMUEL SMITH (Flintshire): I beg to ask the Under Secretary of State for India whether his attention has been drawn to the Petition of Arthur Brownlow, of Sungoo Tea Estate, Chittagong, to the Lieutenant Governor of Bengal, complaining of the granting of an out-still licence for a shop at Sadhanpur, which immediately adjoins his tea estate, and whereby the injury caused to him and the coolies employed by him on his two tea estates was very great, inasmuch as the liquor shop quite demoralised the coolies and servants employed, while drunkenness and absence from duty of the coolies became the order of the day, and the Native doctor of the Sungoo Tea Estate had to be dismissed for inebriety?

THE UNDER SECRETARY OF STATE FOR INDIA (Sir J. GORST, Chatham): Yes; the Secretary of State understands that such a Petition has been addressed to the Government of Bengal, and is now under the consideration of that Government.

MILITARY STORES IN INDIA.

MR. BRADLAUGH (Northampton): I beg to ask the Under Secretary of State for India what, if any, steps have been taken in accordance with the undertaking of the Government of 22nd July to arrive at a settlement of the disputed and long unsettled charges for military stores; and whether he can now make any statement on the subject?

SIR J. GORST: The Secretary of State addressed an inquiry to the War Office on the 1st November, to which no reply has yet been received.

FIRTH OF CLYDE.

COLONEL MALCOLM (Argyllshire): I beg to ask the First Lord of the Admiralty whether he will order a minute survey to be made of the Firth of Clyde, near the Cloch Lighthouse, in order to determine the exact position of the alleged banks, and correct the present Admiralty Charts, which show 19 fathoms where there is less than seven?

*THE FIRST LORD OF THE ADMIRALTY (Lord G. HAMILTON, Middlesex, Ealing): This survey has been already made. The Admiralty Charts have been corrected, and the results communicated to the Board of Trade.

*MR. BRADLAUGH: Is the noble Lord aware that more than one bank has been discovered? Has the survey been sufficiently made?

*LORD G. HAMILTON: I am not aware of the banks to which the hon. Member refers. There is a bank which is supposed to have been formed by dredging. All the banks have been thoroughly surveyed.

NAVAL LIEUTENANTS.

CAPTAIN PRICE (Devonport): I beg to ask the First Lord of the Admiralty whether it is true that the Admiralty propose to increase the number of Lieutenants; and, if so, whether he will consider the advisability of giving a certain number of Lieutenant's Commissions to warrant officers who may be able to qualify for the rank?

*Lord G. HAMILTON: In reply to my hon. Friend, I may remind him that it takes about 8 to 10 years to make a Lieutenant from the time he enters the Britannia to the time he passes his final qualifying examination. The want of Lieutenants now is due to short entries made during the years 1880 to 1885. Since then the entries have been increased about 40 per cent., but the Lieutenants' List will not increase for some years to come, though the Sub-Lieutenants' List will begin to swell next year. I am not prepared to promote officers to the rank of Lieutenant except for war service, or other specially meritorious service.

KING JA JA.

Sir W. FOSTER (Derby, Ilkeston), for Mr. William Redmond (Fermanagh, N.): I beg to ask the Under Secretary of State for Foreign Affairs whether King Ja Ja is still detained at St. Vincent; whether it was intimated to him in August last that he would be released from further detention as a political prisoner on his undertaking to observe certain conditions on his return to Opobo; whether the undertaking was duly signed by King Ja Ja; and whether, under these circumstances, Her Majesty's Government will order his re-conveyance to Opobo?

*The UNDER SECRETARY of STATE for FOREIGN AFFAIRS (Sir J. Fergusson, Manchester, N.E.): Ja Ja is still detained at St. Vincent, but as was stated in the reply of the 2nd to the hon. Member for Leicester his removal to another colony is being arranged. An assurance was taken from Ja Ja that if permitted to return to Opobo he would conduct himself peaceably. The Reports from Opobo show, however, that his immediate return is inexpedient, and must, consequently, be deferred.

Sir W. FORSTER: Will the right hon. Baronet lay on the Table the Papers relating to the subject?

*Sir J. FERGUSSON: To the best of my belief we are not in possession of the text of these documents.

Mr. PICTON (Leicester): The right hon. Gentleman has not answered this part of the question—whether it was intimated to Ja Ja that he would be released from further detention as a political prisoner on his undertaking to observe certain conditions on his return to Opobo? Was it so intimated to him? We have not been told that.

*Sir J. FERGUSSON: I do not think it is known in this country what were the precise terms used, or that Ja Ja had any distinct promise given to him, but I have not the least doubt that he was led to expect that he would be allowed to return home. It is plain that it would be very regrettable, if after his return he should have to be again removed.

Mr. PICTON: Is the territory of Opobo part of Her Majesty's Dominion?

*Sir J. FERGUSSON: It forms part of Her Majesty's Protectorate, and we are responsible for the preservation of order there.

Mr. W. REDMOND (Fermanagh, N.): I understand the right hon. Gentleman to say that it is only a question of time.

Sir J. FERGUSSON: Only a question of time and of advisability.

JUVENILE OFFENDERS.

Mr. MATHER (Lancashire, S.E., Gorton): I beg to ask the Secretary of State for the Home Department whether he is aware that, out of the total number 1,131 juvenile offenders under 16 years of age brought before the Police Courts of Manchester and Salford in 1889, only two-fifths, or about 450, were charged with felony, the remaining three-fifths, or about 680, having been arrested for trivial offences without criminal intent, and that the whole of the non-criminal offenders were classified among criminals at the Police Courts and associated more or less with them, including confinement in police cells, up to the time of their discharge after the payment of a fine; whether he is aware that cases have occurred when juvenile offenders of a non-criminal character have been put into prison for their inability to pay costs amounting to four or five times the sum of the fine, when the fine itself has been tendered by parents and friends who were too poor to pay the heavy costs; whether the Magistrates or Police

Authorities have discretionary power under the existing law to treat juveniles under 16 years of age, arrested for trivial offences against police regulations only punishable by fine, in such manner as shall prevent their associating with criminals at the first or at any stage of the process of punishment; and whether, if such power does not exist, he will introduce a Bill to confer power on Magistrates and Police Authorities to provide juvenile offenders of a non-criminal character with such accommodation after arrest as shall prevent their mingling with or being regarded as criminals, and also to provide special Courts to try trivial juvenile offences in order to spare children, otherwise honest, the obviously evil consequences arising out of the treatment to which they are at present subjected in Manchester and Salford and elsewhere?

THE UNDER SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. STUART WORTLEY, Sheffield, Hallam): The Secretary of State has no official statistics on the subject. But the distinction drawn between criminal offenders and non-criminal offenders has no foundation in law, and would in practice be impossible. All must be treated alike while in custody in the police cells; and all in prison must also be treated alike, provided that they have received the same sentence. It is a mistake, however, to suppose that there is any association in prisons. Each prisoner is kept separate. The Legislature, in the Summary Jurisdiction Act, First Offenders Act, and other Statutes, have provided various means by which unnecessary or unduly long imprisonment may be avoided—allowance of bail, dismissal of trivial cases, remission of costs, allowance of time for payment of fine, imposition of fine in lieu of imprisonment, detention of juvenile offenders in a reformatory or industrial school. Circulars have been issued from the Home Office impressing on Magistrates the desirability of children not being imprisoned before trial, and Governors of prisons have been instructed to report to the Secretary of State every case of such imprisonment of a child under 14. The Secretary of State regrets that Magistrates do frequently impose light fines with heavy costs, as it leaves a false impression as to the administration of justice. But in most of these cases it will be found that the fine has been so light because the costs have been so heavy, and the person convicted has not been punished more severely than he ought to have been. There are difficulties in the way of such measures as those indicated in the 4th clause of the question. The practice in Metropolitan Police Courts is to remand to the workhouse, under Section 19 of the Industrial Schools Act, 1866, all children under 14 where desirable, pending inquiries necessary for the decision of the case. I understand this practice to be based on the view that the power given by that section exists in all cases where a child under 14 years is brought before a Court of Summary Jurisdiction. The Secretary of State hopes to introduce again a Bill authorising several alternative modes of dealing with juvenile offenders, with a view to preventing the necessity of their being sent to prison.

RAILWAY ACCIDENTS.

SIR GEORGE BADEN-POWELL (Liverpool, Kirkdale): I beg to ask the President of the Board of Trade whether, with a view to the prevention of railway accidents, the Board of Trade have made, or will make, specific inquiry into systems of automatic electric signalling between trains and trains which would be an additional safeguard in cases of fog, detached cars, or mistakes of signalmen?

*THE PRESIDENT OF THE BOARD OF TRADE (Sir M. HICKS BEACH, Bristol, W.): The subject of automatic electric signalling has frequently engaged the attention of the Board of Trade, and further inquiries are now being made. There are many difficulties to contend with, and all I can say at present is that the matter will continue to receive attention. It may be added that the Norton Fitzwarren collision would not have been prevented had the system as hitherto carried out been in force there.

THE GWYLWYR SETT QUARRY.

MR. LLOYD-GEORGE (Carnarvon District): I beg to ask the Secretary to the Treasury whether the negotiations for the lease of the Gwylwyr Sett Quarry, Pistyll, Carnarvonshire, have been completed; and, if so, whether such a lease contains a provision for ensuring that the quarry will be efficiently worked by the lessee; and whether any explanation can be afforded why this quarry is still unworked, notwithstanding the assurance given that it was intended to commence active operations without any delay?

THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.): The lease of the quarry referred to has not yet been completed, and that is the reason why the quarry is still unworked. It is expected that the lease will shortly be completed, and it will contain clauses requiring the lessees to work it.

SOUTH SEA ISLAND LABOURERS.

MR. S. SMITH: I beg to ask the Under Secretary of State for the Colonies whether he is aware that the *Sydney Presbyterian* of the 2nd of August, 1890, states that the forcible recruiting of labourers in the South Sea Islands for Queensland still continues, and that recently a French schooner recruited a woman from Malo, leaving an infant behind; whether he is aware that the Rev. J. G. Paton, missionary, has stated that last year he complained of a vessel which called at his island, Amida, and got away a young widow, leaving her two infant children behind uncared for; and that it also got away three or four young men, one of them leaving his wife behind unprovided for; whether he is aware that the Rev. P. Milne, of Nguna, complained to the authorities in Queensland of a Brisbane labour vessel, the *Eliza Mary*, taking away, on the 28th of September last year, from his station three lads who were his hired servants from other islands, and afterwards other lads, 10 in all; and whether, after waiting long, an official reply came to him that the Chief Secretary of the Colony has fully approved of them all being so taken away by the *Eliza Mary;* and whether Her Majesty's Government is now prepared to adopt energetic measures for the suppression of this Slave Trade in the South Seas?

THE UNDER SECRETARY OF STATE FOR THE COLONIES (Baron H. de WORMS, Liverpool, East Toxteth): Through the courtesy of the hon. Member I have been supplied with a copy of the *Sydney Presbyterian* referred to. The first two cases mentioned have not been reported home; but it may be observed that the first is one of a foreign vessel, and that in the second it is not clear whether anything unlawful is alleged. As to the third, it is known that the Rev. P. Milne complained to the Queensland authorities, but not what the terms of the reply were. The Pacific Islanders Protection Acts of 1872 and 1875 make it penal to carry away a native without his consent, but in the above cases no violation of this law is alleged; and if any Queensland regulation, creating and providing penalties for other offences in connection with the labour traffic, has been infringed, such infringements must be dealt with by the Queensland Government. I may remind the hon. Member that, as I stated to him in July last, under a Queensland Act of 1885 the introduction of Polynesian labourers into the colony will cease after the end of this year.

THE NEW MAGAZINE RIFLE.

MR. WOODALL (Hanley): I beg to ask the Secretary of State for War for what reason it has been thought desirable to introduce Mark II. of the magazine rifle; and if he could state the cost of the rifle as compared with that of the Martini-Henry at similar stages of its production?

*THE SECRETARY OF STATE FOR WAR (Mr. E. STANHOPE, Lincolnshire, Horncastle): I explained very fully yesterday, in answer to my hon. Friend the Member for Horsham, the reasons why Mark II. has been introduced. The cost of the Martini-Henry rifle was, of course, high at first, but in the first year in which it was extensively made it was £3 18s. 4d., which sum, as the manufacture went on, was gradually reduced to £2 2s. 10d., neither price including any charge for the special machinery required. The price of the magazine rifle for the small number at first produced was £5 5s., but the estimated cost for the current year is £4, which includes a Sinking Fund calculated to pay for the necessary alteration of machinery in six years. This price was for Mark I.; Mark II. will probably cost a trifle less, and it may be anticipated that the charge will decrease as the manufacture proceeds, as it did in the case of the Martini-Henry. In this comparison allowance ought to be made for the facts that wages have increased and hours of labour been shortened since the Martini-Henry rifle was first turned out.

WOOLWICH ARSENAL.

MR. CUNINGHAME GRAHAM (Lanark, N.W.): I beg to ask the Secretary of State for War if he will state why the present slackness of work exists at Woolwich Arsenal; why men (some of whom have been employed there for years) are being dismissed; why men are "suspended" for no apparent reason, sometimes for a week at a time; if he can explain why, although £101,000 were voted this year to Woolwich Arsenal, which is a larger sum than was voted the year before, about 40 men have been discharged within the past few weeks; if sub-contracting is permitted, and, if so, on what grounds; whether Messrs. Easton and Anderson have received 30 gun-breech mechanisms from Messrs. Vickers, of Sheffield, and if these gun-breech mechanisms were given out from Woolwich to Messrs. Vickers; and, if so, will he explain why; if it would be possible to put down the system of working overtime at Woolwich Arsenal; and, if not, will he state the reason; and why is work given out from the Arsenal to Messrs. Anderson, of Leith?

*MR. E. STANHOPE: There has been no general reduction in the Ordnance Factories. But I should like to say at once that, as the special work to be undertaken under the Imperial Defence Loan is now drawing to a close, and employment in the factories is coming to its normal state, there must of necessity be reductions, but they shall be made with all possible regard to the importance of doing so at a time of year when other employment can be found. There is very little overtime at the Arsenal, and that only under special circumstances. There are no sub-contracts in the Ordnance Factories. The contract made by me with Messrs. Vickers is for heavy guns. The War Office is aware that they have entrusted the breech mechanisms to Messrs. Easton and Anderson, but the matter is not one that concerns us. As to work being given out from the Arsenal to Messrs. Anderson, of Leith, my inquiries do not enable me to find out anything whatever about them.

MR. CUNINGHAME GRAHAM: Is it the fact that 40 men have been discharged within the last three weeks?

*MR. E. STANHOPE: I am unable to answer that question directly. There is a total number of 16,000 men of different classes employed; some men have been discharged, and some may have been taken on, and it is quite possible that there might have been a balance of discharges of the number stated.

MR. CUNINGHAME GRAHAM: Will the right hon. Gentleman take into consideration the advisability of shortening the hours in order to meet the slackness of work, as this is a most inclement season at which to discharge men?

*MR. E. STANHOPE: I do not think that would be possible. What the country require is that the warlike stores should be turned out by the time they are needed.

MR. CUNINGHAME GRAHAM: The point is, whether the men employed by Government are to be worse treated than they would be if employed by private firms? Will the right hon. Gentleman endeavour to introduce some system to alter the overtime working?

*MR. E. STANHOPE: I am happy to say that these men are better treated than they would be by any private firm. With regard to overtime, I have already stated that it is only worked under special circumstances.

BIRMINGHAM POST OFFICE.

MR. SYDNEY BUXTON (Tower Hamlets, Poplar): I beg to ask the First Commissioner of Works whether his attention has been called to the fact that the plastering work of the new Birmingham Post Office has been sublet to a man of the name of Welling; whether information has been submitted to the Office of Works of the very extensive system of adulteration of the materials used that has taken place; whether the Board of Works acknowledged by letter, dated 10th September, 1890, that the statements made in regard to the adulteration were substantially correct; and whether, in spite of this condemnation, Welling has been allowed to continue to work and to commence the front block; whether he is aware that the Clerk of the Works has given orders that no plasterer was to be employed on the job who had worked there previous to the complaint made of the adulteration of the materials; and whether he will inquire into the circumstances of the case?

THE FIRST COMMISSIONER OF WORKS (Mr. PLUNKET, Dublin University): As the question only appeared on the Paper to-day, I have not been able to obtain the information necessary to enable me to answer it, and I must ask the hon. Gentleman to postpone it.

MR. SYDNEY BUXTON: I will repeat it on Monday.

THE SULTAN OF VITU.

MR. SYDNEY BUXTON: I beg to ask the Under Secretary of State for Foreign Affairs whether a reward of 10,000 rupees has been offered by the British Naval Authorities on the East Coast of Africa for the capture of the Sultan of Vitu; and, if so, whether Her Majesty's Government have given instructions that such offer should be withdrawn?

*SIR J. FERGUSSON: The reward has been offered. The Sultan has not yet been captured, nor has he surrendered to take his trial, and the offer still holds good.

THE BRUSSELS CONFERENCE.

MR. SYDNEY BUXTON: I beg to ask the Under Secretary of State for Foreign Affairs whether it is true, as reported, that the Government of the Netherlands has demanded an extension of the time given in which to sign the General Act and Declaration of the Brussels Conference; and whether Her Majesty's Government can afford the House any information as to the steps they have taken to overcome the reluctance of Holland to sign the General Act and Declaration of the Conference?

*SIR J. FERGUSSON: No such demand has been made to our knowledge. It could only be addressed to the Conference. Steps are being taken by Her Majesty's Government, in concert with other Powers, to induce Holland to sign, but it is not at present possible to indicate their nature.

THE NEW LOAD LINE LAW.

MR. GOURLEY (Sunderland): I beg to ask the President of the Board of Trade if he will be good enough to state the nature of the instructions issued to the Board of Trade Surveyors relative to the new Load Line Law; and whether he is aware that doubts exist regarding its application or otherwise to vessels already sailing and marked under Lloyd's freeboard rules?

*SIR M. HICKS BEACH: The instructions to Surveyors include the tables of the Load Line Committee, with a Memorandum on their application and directions as to the course to be followed when owners apply for load lines to be fixed by the Board of Trade. The provisions of the law apply to all British vessels, whether previously marked by Lloyd's or not, and I have not heard of any real difficulties having arisen in the matter.

NATURAL HISTORY MUSEUM—ELECTRIC LIGHTING.

SIR GEORGE CAMPBELL (Kirkcaldy, &c.): I beg to ask the First Commissioner of Works whether, considering that the public are now deprived of the use of the Great Natural History Museum, not only in the afternoons and evenings but also on foggy winter days, and that the facilities of lighting are now such that the Museum has already been temporarily lighted by electricity for Societies meeting there, he will again consider the advisability of arranging to light the Museum?

*MR. PLUNKET: The Trustees of the British Museum must determine this question in conjunction with the Treasury. I have no authority in the matter.

SIR G. CAMPBELL: May I ask whether the right hon. Gentleman will have to ask Parliament to sanction the necessary funds?

*MR. PLUNKET: That is a question for the Treasury.

SIR G. CAMPBELL repeated his question to the Secretary to the Treasury, but received no answer.

THE MUZZLING ORDER.

MR. DIXON-HARTLAND (Middlesex, Uxbridge): I beg to ask the President of the Board of Agriculture when the Order for muzzling dogs will be withdrawn from the County of Middlesex?

*THE PRESIDENT OF THE BOARD OF AGRICULTURE (Mr. CHAPLIN, Lincolnshire, Sleaford): The question of my hon. Friend has already engaged my attention, but I have found it exceedingly difficult to relax the Order in the County of Middlesex until the same course is adopted for the whole of the Metropolitan Police District. There has been a case of rabies so lately as the month of September within that area, and I am advised that a sufficient time has not elapsed to justify me in withdrawing it at present. I cannot indicate the date of its probable withdrawal, for the reason that it must depend upon the nature of the Returns which we continue to receive; but I am glad to say that they have been exceedingly favourable of late, and I have great hopes that I may be able to relax it, so far as the Metropolis is concerned, at no distant date.

*MR. DIXON-HARTLAND: May I ask the right hon. Gentleman whether he is aware that Middlesex is the only County in which the Order is in force, and that cases of rabies are found in dogs coming from over the borders and not in the county itself, and whether, therefore, this is not an injustice to the county?

*MR. CHAPLIN: No, Sir; the statement of my hon. Friend is not altogether correct. The Muzzling Order prevails throughout the whole Metropolitan District at present, and in that district are included parts of several other counties, in addition to the County of Middlesex.

SOUTH-EAST AFRICA—DISTURBANCE IN MUTACA'S COUNTRY.

MR. BRYCE (Aberdeen, S.): I beg to ask the Under Secretary of State for Foreign Affairs whether he can give the House any information with regard to the reported collision between the police of the British Chartered South Africa Company and certain Portuguese in Mutaca's country, in South-East Africa?

*SIR J. FERGUSSON: A telegram has been received from the High Commissioner substantially confirming the reports which have appeared in the newspapers. Of course, there has not been time for Her Majesty's Government to consider the matter as yet.

MR. BRYCE: When will the right hon. Gentleman be able to make a statement? Will it be before the end of the present Sittings of the House?

*SIR J. FERGUSSON: If the hon. Gentleman will put down a question I will answer it to the best of my power.

RELIEF OF LOCAL TAXATION.

MR. OLDROYD (Dewsbury): I beg to ask the Chancellor of the Exchequer if the letter, written by Mr. Clinton E. Dawkins to Mr. A. Arnold, J.P., from the Treasury Chambers, dated 17th November, 1890, and published in the newspaper Press 30th November, 1890, and giving information as to the net financial gain to the Borough of Halifax under the new arrangement for the relief of local taxation compared with the old system, was, as stated, in fulfilment of a promise by him; and, if so, whether the Government will furnish similar information as to the effect upon the finances of six typical non-county boroughs with a high rateable value?

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): Yes, Sir; I gave Mr. Arnold the information as regards Halifax, as I should have given it to any other gentleman who had asked for it. It would not be possible to furnish information in the same way for non-county boroughs. As the hon. Member will recollect, payments in their case are not made direct from the Local Taxation Account, but after the county has paid the discontinued grants and the grants for union officers the balance is applied to the reduction of the rates over the whole county area, inclusive of the non county boroughs, which participate in the balance according to their respective rateable values. But I am informed that a Return will shortly be issued by the Local Government Board showing what the balance was in each county for the year 1889-90.

THE SHARDLOW UNION.

SIR WALTER FOSTER: I beg to ask the Vice President of the Committee of Council on Education whether he is aware that some two months ago the Guardians of Shardlow Union (Derbyshire) decided to send the children who are inmates of the workhouse to the national school of the parish of Shardlow; whether the school managers, in the first place, raised objections to receiving them, and finally charged a fee of 1s. per head, notwithstanding the fact that fees of only 2d. and 3d. per head were charged for other children not inmates of the workhouse, whose fees were paid by the Guardians; and whether he can take any steps to remedy this inequality of payment?

THE VICE PRESIDENT OF THE COUNCIL (Sir W. HART DYKE, Kent, Dartford): The facts are as stated in the hon. Member's question. It is usual in such circumstances for the managers to charge a fee considerably in excess of that paid in respect of other scholars, and so long as the average fee is not thereby raised above 9d., the Department would not be justified in objecting to the fee charged.

POLICE AND HEALTH (SCOTLAND) BILL.

MR. ESSLEMONT (Aberdeen, E.): I beg to ask the Lord Advocate, with reference to the Police and Health (Scotland) Bill, whether he is correctly reported as having said, in answer to a deputation, "that only three Members representing Scotland objected to the said Bill;" and, if this be the fact, whether Her Majesty's Government will arrange after Christmas to give reasonable time in order to pass the Bill, and comply with the all but unanimous wish of the Scotch Burghs, by passing a measure which they have repeatedly represented as being urgently needed and of great importance to the health of the people, and to which there is practically no opposition?

*THE LORD ADVOCATE (Mr. J. P. B. ROBERTSON, Bute): The statement quoted in the question was made, not by me, but by Members of the deputation, and I am not aware of any Report which describes it to me. I believe the objection to the Bill to be confined to a few Members; but the opposition of even a few Members, to a Bill of 571 clauses, constitutes a formidable Parliamentary difficulty in the way of its progress. I stated at the beginning of last Session that if the Scotch Members were practically unanimous in desiring that the Bill should pass through this House in the form in which it left the Select Committee of 1888, the Government would be most willing to effectuate this desire; the offer then made was not accepted; and the deputation which I met last month was unable to say that the situation was materially altered. Under these circumstances, the Government, while adhering to previous statements regarding the Bill, do not feel justified in giving the undertaking suggested by the hon. Member, seeing that the "reasonable time" which he desires would only be obtained at the expense of other measures to which the Government are pledged, and that, at present, they have no adequate assurance that it would be effectively bestowed on the Bill in question.

HOURS OF WORK OF LOCOMOTIVE DRIVERS.

MR. PROVAND (Glasgow, Blackfriars): I beg to ask the President of the Board of Trade if he has received any reply from the Railway Association to the Letter he addressed to that body, in reference to the long hours worked by locomotive drivers; and, if so, will he circulate the Correspondence to Members?

*SIR M. HICKS BEACH: No reply has yet been received; but when it has, the Correspondence will be laid upon the Table.

MR. CUNINGHAME GRAHAM: Will it embrace the hours of all workers on the railway?

*SIR M. HICKS BEACH: No, Sir; I think not.

THE CROFTER COMMISSION.

DR. CLARK (Caithness): I beg to ask the Lord Advocate whether the Scotch Office has received any communication from the Crofter Commission as to the reason why the clauses extending holdings has been inoperative; and whether the Government intend doing anything in regard to the matter?

*MR. J. P. B. ROBERTSON: The Secretary for Scotland received a Report from the Commissioners with reference to this subject, and it was laid on the Table of the House. No other Report has been received. No decision has been come to by the Government as to whether it is expedient to take any further steps in the matter.

ST. GEORGE'S CHURCH, BOTOLPH LANE.

Mr. CAVENDISH BENTINCK (Whitehaven): I beg to ask the hon. Member for Penrith (Mr. J. W. Lowther), as a Charity Commissioner, whether the Charity Commissioners have refused to contribute to the necessary repairs of the Church of St. George, Botolph Lane, in the City of London, which was built by Sir Christopher Wren, for the reason that it is not of any special architectural interest or value; and whether the Charity Commissioners, before coming to this decision, obtained any Report upon the Church from any architectural authority; and, if so, whether they will lay the Report upon the Table, or state upon whose opinion they have acted?

Mr. J. W. LOWTHER (Cumberland, Penrith): The central scheme framed by the Charity Commissioners under the City of London Parochial Charities Act provides the annual sum of £41 for the maintenance and repairs of the fabric of the Church of St. George, Botolph Lane, besides an annual sum of £117 for the ordinary cleaning of the church and the maintenance of public worship. In view of the fact that the church is not of primary architectural interest, and of the general condition of the parish, and that the Commissioners are advised that a sum of £2,700 would be required for the restoration of the church, they did not feel justified in dealing with it specially under Section 14 of the Act. The Commissioners were advised by their architect, Mr. Ewan Christian, but they accept full responsibility for their action in the matter, and are therefore not prepared to lay his Report upon the Table, but if the right hon. Gentleman will call at the office of the Charity Commissioners the Report will be open to his inspection.

LIFE-SAVING APPLIANCES.

Mr. HOWARD VINCENT (Sheffield, Central): I beg to ask the President of the Board of Trade if his attention has been called to the finding of the Coroner's Jury in the inquest upon the late Lord Cantelupe, that his life might have been saved if a rocket life line apparatus had been available at Bangor; and if it is possible for anything to be done to provide such appliances at all coastguard stations round the coasts of the United Kingdom, or to compel vessels to carry them under the Merchant Shipping (Life-Saving Appliances) Act?

*Sir M. HICKS BEACH: I have seen a report of the finding of the jury, but the apparatus which saved the crew in this case was stationed only some three miles from Bangor, and it would not be practicable to keep an apparatus at every place on the coast where a casualty may occur. There are already about 300 rocket stations, and life lines alone are kept at many other places. Any suggestion for establishing a new station always receives consideration. On mature consideration, the rocket apparatus has been deemed unsuitable as an equipment for ships themselves.

H.M.S. *TYNE*.

Mr. LABOUCHERE (Northampton): I beg to ask the First Lord of the Admiralty whether H.M.S. *Tyne*, which is to be despatched on the 9th or 10th of this month with two Batteries of Artillery, reliefs for Line battalions, and with the entire crews of two men-of-war for the China Stations (in all, over 1,200 persons), has only accommodation for half that number of persons, and, although in need of thorough repair, has only been patched up?

*Lord G. HAMILTON: The hon. Member's information is not quite correct. His statements are to the effect that the *Tyne* is to leave England on the 9th of December with 1,200 troops on board, being twice the number she can accommodate, and that she requires thorough repairs, which have been scamped. The facts are, the *Tyne* is not to leave England until the 31st of December; she will not have on board any troops, being on Naval Service, the entire crews taken amounting to 142 men, to which have to be added 190 supernumeraries, a total of 332, which is well within the accommodation of the vessel. The *Tyne* is at the present moment in the hands of the Dockyard receiving careful repairs.

THE IRISH MAILS.

Mr. M'CARTAN (Down, S.): I beg to ask the Postmaster General whether he is aware that merchants in Belfast, who formerly used the mail from

London *viâ* Holyhead and Dublin, have of late been obliged to direct their parcels and samples to be sent by the Larne and Stranraer route in order to compete with Dublin; whether he is aware that the English mails, sent by Holyhead, even when the mail train reaches Belfast at the time appointed, arrive too late for business purposes; and whether he can say definitely about what date some arrangement will be made to give the merchants of Belfast and other important towns in Ulster the advantage of having the English mails sent by the Larne and Stranraer route?

THE POSTMASTER GENERAL (Mr. RAIKES, Cambridge University): An application has been made to me by a Belfast firm for permission to have letters, &c., sent from London to Belfast *viâ* Stranraer and Larne on their being specially so addressed, but in the absence of any proper arrangement for the purpose I have not been able to accede to their request. There is some misapprehension, I think, with regard to the delivery in Belfast of the English night-mail letters. Those letters, when the mail train arrives punctually, are included in a delivery beginning at 11.20 a.m., and it can hardly be said that this is too late for business purposes. The outward mail for England is not despatched from Belfast until 3.30 p.m., so that there is a reasonable interval for reply by return of post. I am not yet able to make an announcement respecting the proposal to adopt the Stranraer and Larne route for the Belfast mails.

MR. M'CARTAN: I beg to ask the Postmaster General whether he is aware that, during the present year, a written request for a Sunday delivery of letters from Millisle to Carrowdore was made to the Secretary of the General Post Office, Dublin, by a large and influential number of the inhabitants of the district of Carrowdore, Donaghadee; and whether, considering the general complaints made by the people as to the serious inconvenience which non-delivery of letters there on Sundays causes to the residents of the district, he will consider the advisability of instituting a Sunday delivery of these letters?

*MR. RAIKES: In reply to the hon. Member, I have to state that the Sunday post between Millisle and Carrowdore was discontinued about three years ago on a Memorial from the inhabitants receiving two-thirds of the correspondence, and I shall be happy to sanction its restoration upon similar conditions. But the Memorial forwarded a few months ago in favour of the restoration of the Post was found, on careful inquiry, to represent the receivers of only one-half of the correspondence, and, having regard to the regulations which govern questions of this kind, I should not at present feel warranted in acceding to the wishes of the memorialists.

MR. SEXTON (Belfast, W.): May I ask the right hon. Gentleman whether the delivery of letters arriving by the Holyhead route about half-past 11 does not necessitate a return of merchants after they have left their offices in order to deal with their correspondence; whether he is aware that if the Larne route were substituted letters would arrive at 10 o'clock; and about what time does he think it likely he will be able to arrive at a conclusion as to the Stranraer and Larne route?

*MR. RAIKES: I do not know the habits of the merchants of Belfast, but in any other town letters arriving at half-past 11 would find a merchant in his office. The difference of time by the Larne route, as I am at present advised, is only about three-quarters of an hour, and, therefore, there is not a material difference in that respect. As soon as I have the *data*, I shall lose no time in arriving at a conclusion as to the respective merits of the two routes.

THE BRIDPORT MAIL.

MR. BRUNNER (Cheshire, Northwich): I beg to ask the Postmaster General whether he is aware that the mail due to be delivered at Bridport at 10.30 a.m. missed twice during the week ending 11th October; whether this mail has frequently missed the connection at Bristol this year; and whether he will state to the House what means he has of preventing these irregularities?

*MR. RAIKES: The hon. Member's statement is quite correct, and I regret the irregularity should have occurred. The remedy lies in a more punctual arrival at Bristol of the mails from the North, and I am in communication with the Railway Companies concerned, with the view of securing this result. It is right, however, to say that delay sometimes arises from circumstances beyond their control.

THE EMIN RELIEF EXPEDITION.

MR. LABOUCHERE: I beg to ask the Attorney General whether he has observed that several British subjects connected with the Emin Relief Expedition have admitted that they bought slaves in Africa, and that they flogged and killed the inhabitants of uncivilised countries in that continent; and whether it is intended to render them responsible to the laws which punish British subjects committing either of these offences?

*THE ATTORNEY GENERAL (Sir R. WEBSTER, Isle of Wight): I do not know to what British subjects or to what admissions the hon. Member particularly refers, but, so far as I know, there are no persons now within British jurisdiction who have admitted the commission of any of the offences referred to in the question. I need not remind the hon. Member that if any such offences can be proved the intervention of the Government is not necessary.

MR. LABOUCHERE: May I ask whether, in the case of gentlemen who are under British jurisdiction, who have admitted that they have killed or bought slaves, the hon. Gentleman will instruct the Public Prosecutor to prosecute? The hon. Gentleman says that anyone can prosecute, but what is everybody's business is nobody's business.

*SIR R. WEBSTER: Any statement made on the authority of the hon. Member I shall look into carefully, and have it fully inquired into. It is impossible, without knowing the authority for the statements, that I can undertake to prosecute. Admissions are not proof, and they must be supported by proper proof before a prosecution can be undertaken.

In answer to Mr. CUNINGHAME GRAHAM,

*SIR R. WEBSTER said these gentlemen had no commission whatever from Her Majesty's Government.

LAND PURCHASE IN IRELAND.

MR. KEAY (Elgin and Nairn): I beg to ask the Attorney General for Ireland whether in the event of the whole amount of money provided for loans to tenant-purchasers under the Purchase of Land and Congested Districts (Ireland) Bill being advanced (*a*) immediately after the passing of the Act; (*b*) within five years; or (*c*) within 10 years after the passing of the Act; each year's recoveries being continually re-lent, as provided by Clause 6 (3), he will state, in all three cases, the total amount of the normal annuities which will be due to Government from all the tenant-purchasers on the fortieth year of the operation of the Act, and the total amount of the Guarantee Fund for that year which will exist as security for the amount thus due; and if the result be to show a deficit in the Guarantee Fund on that year, as compared with the corresponding instalment of annuities which will be due on the same occasion, will he give the aggregate of all the annual deficits which will obtain during the whole 49 years under the same conditions?

*THE ATTORNEY GENERAL FOR IRELAND (Mr. MADDEN, Dublin University): It would take some time to work out in detail the various calculations suggested in the question of the hon. Member; but as I understand that those calculations are suggested with a view of testing the financial soundness of the Government scheme, I may inform him that it is impossible that its security could be affected by any process of re-lending, for under no circumstances could the amount advanced exceed 25 years' purchase of the annual Imperial contribution, plus the actual amount of the Sinking Fund.

*MR. KEAY: As the matter is one of extreme importance, may I ask the right hon. Gentleman or the First Lord of the Treasury whether, if the Government have not been able to make a calculation, they will be good enough to examine one which I have prepared, and which is at present in the hands of right hon. Gentlemen on the Front Opposition Bench. The result of that calculation shows that there will be absolutely uncovered loans to the extent of £25,000,000 sterling.

*MR. MADDEN: I do not think the hon. Gentleman will expect me to express an opinion as to the result of a calculation which I have not seen. I can hardly set myself up as a Court of Appeal from the hon. Member upon such a question.

*MR. KEAY: It is a very important question, and the right hon. Gentleman must know that the Sinking Fund is the taxpayers' money and not a Guarantee Fund at all. May I ask him whether, if on examination he finds there is the large deficit I allege—[*Cries of* "Order!"]

MR. DEPUTY SPEAKER: The question the hon. Gentleman is now putting is not a legitimate one.

MR. WALSH.

MR. T. M. HEALY (Longford, N.): I beg to ask the Attorney General for Ireland if he is aware that Mr. Walsh, of the *Cashel Sentinel*, was sentenced to three months' imprisonment for conspiracy at Tipperary, and arrested instantly on conviction; that several days before he had been (on appeal) sentenced to two months' imprisonment for the publication of a speech in his newspaper; but that the police held over the warrant, commanding them to arrest him on the latter charge, in order to see what would be the result of the Tipperary prosecution; under what authority was this done; do the Government still hold over the warrant; under what statute do the police exercise this suspensory power; and what officer is responsible?

MR. MADDEN: The question of the hon. and learned Member appears to be founded on a misapprehension as to a matter of fact. He appears to assume that the warrant, after it was signed, was kept back by the authorities. This is not so. I am informed that Mr. Walsh did not appear when the appeal was called, that a certificate was given for the estreating of his recognisances, but that the warrant has not yet been signed.

IRISH LOTTERIES.

MR. GURDON (Norfolk, Mid): I beg to ask the Postmaster General whether his attention has been called to the number of advertisements of lotteries from Ireland, as well as abroad, which are being sent to our National schools; and whether he can prevent this practice?

*MR. RAIKES: My attention has been called to the transmission of advertisements of lotteries through the Post both from Ireland and abroad, but the Law does not, I am advised, empower me to ascertain the contents of closed packets which may contain such advertisements. As regards notices of this description conveyed in open covers, I am considering what course of action should and can be taken.

DEDUCTIONS FROM MEN'S EARNINGS.

MR. BURT (Morpeth): I beg to ask the Secretary of State for the Home Department whether he has had any correspondence with William Armstrong, an iron ore miner, of Moor Row, West Cumberland, complaining of the treatment he received from his employers, and the doctors who attended him after he received a serious accident in the mine; whether it is true, as stated by W. Armstrong in a letter addressed to the Home Secretary on the 21st of February, that the doctors are appointed by the mine owners, but "are paid by money deducted from the men's earnings, the workmen having neither voice nor choice in the matter;" whether he has any jurisdiction in a case of the kind; and, if so, whether he has inquired into the subject, and with what result; and if he has any objection to lay the correspondence upon the Table of the House?

MR. STUART WORTLEY: The answer to the first two paragraphs is in the affirmative. Mr. Armstrong has already been informed that this is not a matter in which the Secretary of State has any jurisdiction. Under these circumstances it is unnecessary to lay the Papers before Parliament.

THE DEATH OF MRS. PEEL.

*(4.15.) THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): Mr. Deputy Speaker,—Sir, I feel sure that on the present occasion, whatever differences may exist in this House, there will be no difference of opinion as to the expression of the views and feelings of the House in desiring to convey to the Speaker the expression of their real and sincere sympathy with him in the sorrow which has befallen him during the last few hours. The House has been aware that the shadow of that great sorrow has prevented the Speaker from discharging his duties in the Chair during the last 10 days. All who know the Speaker are aware that only extreme necessity would have kept him from the discharge of

those duties, and I am sure the House is unanimous in feeling that the Speaker was right in abstaining from coming into the Chair. I am sure that hon. Members would, if that were possible, individually have tendered their expression of sincere regard and sorrow that a man so loved by all his friends, and so valued in this House, should be so heavily afflicted. I know that on such an occasion as this words should be few, and that the voice of sympathy should be almost hushed. I do not wish to enlarge on the present occasion on the personal affliction that has befallen Mr. Speaker—that is a sacred matter for himself—but we can at least approach him, and say from our hearts that we are grieved, that we enter into his sorrow, and that we trust a sense of the performances of duties yet to come to the country and to this House will arouse him from the sorrow and affliction in which he is at present plunged, and that we shall be able to welcome him back to the Chair; a sad man, a man deprived of the comfort of his life, it may be, but a man ready to discharge the honourable duties which the country expects from him, and which this House thoroughly trusts him to fulfil. If I do not make any Motion it is because I thought it undesirable that we should say more than what I believe is the unanimous feeling of the House expressive of our sorrow at Mr. Speaker's deep affliction.

(4.17.) Mr. W. E. GLADSTONE (Edinburgh, Mid Lothian): Mr. Deputy Speaker,—Although the right hon. Gentleman has refrained, and I am disposed to think has wisely refrained, from submitting any actual Motion to the consideration of the House, and although he has not left me in point of form any defined province or function on the score of which I may appeal to the House for its indulgence, yet I think it my duty, presuming on its kind permission, to echo the words which have been so well spoken by the right hon. Gentleman. I feel sure, and I believe the entire House feels, that we are deeply interested in all that concerns the happiness of Mr. Speaker. The House of Commons is of necessity under great and increasing debt to Mr. Speaker. At all times the duties imposed upon that great officer of State have been duties of an arduous character, but they have of late years become such as to task to a degree altogether extraordinary most of the qualities which go to make up a powerful mind and a masculine character. I think, therefore, that we do well to discharge this growing obligation in expressing to Mr. Speaker our deep sympathy with him in his sorrow. Nor can I pass by that which the right hon. Gentleman has well said as to the value of his services. It is not for us to intrude into the sanctuary of private sorrow, nor to know what consequences may follow upon a visitation so heavy, but I believe the right hon. Gentleman has expressed the universal sense of the House when he has stated his wish and hope that we may still enjoy, and enjoy in spite of this great visitation, the valued services which Mr. Speaker performs to the public and to the House when he sits in the Chair. I, Sir, therefore, concur with the right hon. Gentleman in everything that he has said, and I believe that it will be the earnest hope of the House that while any expression of sympathy one can offer him must be well known to be a very inadequate medicine indeed for so severe a hurt, he may be favoured with every consolation that can be derived by man on these great occasions of life, whether from a human or from a higher source.

WORKHOUSES, &c.

Return ordered—

"Showing, in respect of each Workhouse, Workhouse Infirmary, and Sick Asylum in England and Wales, the number of the beds in the wards for the sick; the average number of sick persons occupying those wards during the months of September, October, and November in the present year; the number of paid officers acting as nurses; and the number of such officers who, prior to their appointment by the guardians or managers, had received any training in nursing."—(*Mr. Rathbone.*)

MOTIONS.

HANDLOOM WEAVING (IRELAND) BILL.

On Motion of Colonel Saunderson, Bill for the regulation of Handloom Weaving in Ireland, ordered to be brought in by Colonel Saunderson, Colonel Waring, Mr. O'Neill, and Mr. Macartney.

Bill presented, and read first time. [Bill 153.]

HARES AND RABBITS BILL.

On Motion of Mr. Arthur Williams, Bill for amending the Law relating to the taking and killing of Hares and Rabbits, ordered to be brought in by Mr. Arthur Williams, Mr. Samuel Evans, Mr. Lloyd-George, and Mr. Lloyd Morgan.

Bill presented, and read first time. [Bill 154.]

BLIND AND DEAF-MUTE CHILDREN (EDUCATION) BILL.

On Motion of Mr. Wardle, Bill to amend the Law in regard to the Education of Blind and Deaf-Mute Children in England and Wales, ordered to be brought in by Mr. Wardle, Mr. John Ellis, Mr. Aird, Mr. Rathbone, and Mr. Kenrick.

Bill presented, and read first time. [Bill 155.]

TEACHERS' (REGISTRATION AND ORGANISATION) BILL.

On Motion of Sir Richard Temple, Bill for the Registration and Organisation of Teachers, ordered to be brought in by Sir Richard Temple, Sir Lyon Playfair, and Viscount Lymington.

Bill presented, and read first time. [Bill 156.]

ORDERS OF THE DAY.

PURCHASE OF LAND AND CONGESTED DISTRICTS (IRELAND) BILL. (No. 111.)

Order for Committee read.

(4.25.) MR. DEPUTY SPEAKER: I have to rule that the Motion which stands in the name of the hon. Member for Kirkcaldy (Sir G. Campbell)

> "That it be an Instruction to the Committee to reserve a head-rent for public purposes in all cases of purchase by State aid,"

is not in order.

(4.26.) SIR GEORGE CAMPBELL (Kirkcaldy, &c.): May I be allowed to amend it? [*Cries of* "Order!"]

(4.27.) MR. E. ROBERTSON (Dundee), in rising to move—

> "That it be an Instruction to the Committee that they have power to divide the Bill into two Bills, and to consider first Part II., Congested Districts, and to report the same separately to the House,"

said: I ask the indulgence of the House while I explain the reasons which induce me to move this Instruction. The main object of this Bill is to commit the House and the country to an expenditure of £100,000,000 of public money upon a small section of Her Majesty's subjects. Notwithstanding the importance of the measure, it has by means of the closure been read a second time without a single word of debate being said upon its principle. I allude to that dramatic performance of Mr. Deputy Speaker, not for the purpose of complaining of it, bu simply to ask that in future Her Majesty's Ministers, and particularly the President of the Board of Trade, abstain from making remarks in regard to the independence of the Chairman of Committees. I am precluded on the present occasion from discussing the principle of the Bill, but I wish to point out that the measure, which is divided into two distinct parts, should be divided into two separate Bills, and that the second one, which is of minor importance and is non-controversial, should be disposed of in the first place, leaving the first measure, which is of great importance and which involves many matters of controversy, to be discussed at a future time. So much for the machinery of the Bill. In the next place, I object to the form and shape in which the measure has been introduced. The first part comes before us in such a questionable shape that I think we ought not to be induced to accept it. The right hon. Gentleman the Chief Secretary has told us that he finds it easier to pass a short Bill than a long one, and he has consequently divided the original Bill into two parts, and has greatly condensed the clauses of each, the result being that whereas Bill No. 1 only contains 19 clauses, the corresponding portion of the Bill of last Session consisted of 40 clauses. The Chief Secretary seemed to think that this was a remarkable feat in legislative condensation; but I am afraid that the right hon. Gentleman has only made it easier for himself by making it much more difficult for the House. The right hon. Gentleman has described the measure as one which grafts the Land Purchase Scheme on the Ashbourne Act. What he has done has merely been to put the "new wine" of his own Land Purchase Bill into the "old bottles" of the Ashbourne Act. He has brought down the dimensions of his Bill by resorting to two devices, each of which is most objectionable in its character. In the first place, he has not taken care to express the terms of his proposals with sufficient directness; he has not put his meaning into plain, straightforward English, but has relied on references to previous Acts of Parliament. In the second place, he has devolved an immense portion of what ought to be the business of this House on outside authorities, or external officials, over whom the right hon. Gentleman may have control, but over whom we have none. The most important word in this measure is the word "prescribed," the meaning of which would seem to be that the work we ought to do is being turned over to clerks and officials. In point of fact, the main, broad result of what the Chief Secretary has done has been to make the Bill a chaos, perfectly unintelligible to the Members of this House. The measure professes to be one to provide further funds for the purchase of land in Ireland. I would respectfully invite the attention of the right hon. Gentleman the Attorney General for Ireland to the point I am about to submit to the House. I have been unable to discover in the whole of Part I. any direct grant of money for Stock at all. The only operative clause I can see in Part I. is the last part of Clause 1, which says that every advance for Land Purchase under the Bill shall be made on the issue of Guaranteed Land Stock, which shall be equivalent to the amount of the advance. Consequently, what is advanced under this measure is not a grant, and, in point of fact, I find nothing in the nature of a grant in Part I. Now, Sir, I think we have a right to complain that in so important a matter as this, involving as it does not merely the £33,000,000, which is the sum named by the right hon. Gentleman the Chief Secretary, but in all probability £100,000,000, if not a much larger amount, we ought to have the text of the proposal placed before us in plain English, so that every Member of the House may know what is intended. I am not asserting that there may not be within the four corners of the Bill some obscure clause or provision that may not by human ingenuity be tortured or twisted into a grant of £33,000,000; but I do unhesitatingly say that, looking at the Bill as I have been enabled to understand it, I think hon. Members will fail to find anything in it in the shape of a grant beyond the £10,000,000 limit established by the Ashbourne Act. This, Sir, is the result produced by the condensing process of the right hon. Gentleman, who avowedly has resorted to that method to render his work easier than it would have been if he had stated his intentions in plain, straightforward English. I will give the House an example of the difficulty to which I have alluded. A great deal was said last Session about the Guarantee Fund, which we were told was a most essential feature of the old Bill and one of its most valuable securities. In the old Bill the provision as to the guarantee deposit occupied two pages of print, and was composed of some nine or ten sub-sections, carefully drawn, and although elaborate and not quite easy of comprehension yet calculated to carry out the purpose intended to be served. I wonder how many hon. Members can read this new Bill and be aware what parts of it have been copied from the elaborate provisions of the old Bill, especially those introducing the most important proposals as to security. The House will probably be very much surprised to hear that the guarantee deposit provided for in the old Bill has totally disappeared from the new. There is, in point of fact, no provision in regard to guaranteed deposit unless it is contained in the clause I am about to read.

MR. DEPUTY SPEAKER: How does the hon. Member make this relevant to the Motion he has placed on the Paper?

MR. E. ROBERTSON: I am contending that Part I. in its new shape is, in fact, so unintelligible that it would be more convenient to deal with Part II. first, so as to give time to the right hon. Gentleman the Chief Secretary to re-cast Part I. I will, with your permission, read to the House a portion of the clause to which I have just referred. It sets forth that

> "The issue of land stock to the prescribed counties shall be equivalent to the advance and payment of the purchase money and to the retention by the Land Commission of any sum as a guarantee deposit."

Surely this is a genuine triumph of Hibernian draughtsmanship, and I merely mention it as an example of the unsatisfactory state in which the question is left. The only other point I have to urge is this—that the Chief Secretary might be enabled under the Instruction I am moving to carry a little further the process he has begun. He has already subdivided the Bill and cast out of Part I. the provisions relating to the Land Department, and I ask him to carry the process further. The provisions relating to the Land Department are more closely connected with Part I. than Part II., which has special relation to the Congested Districts. I ask the right hon. Gentleman to follow out the lines he has already adopted; to leave out, for the present, the consideration of Part I., and proceed to Part II., as the more urgent portion of the measure. If he will only do this I am convinced that Part II can be got out of the way in a very few days -that, at any rate, it might be disposed of before Christmas. I for one, at any rate, should have no objection to sitting here until that is done. This part of the measure is, in my view, the uncontentious portion, and having got rid of that part we might leave the other portion which is contentious to be dealt with after the adjournment. If the right hon. Gentleman refuses, I hold that we have no other alternative than to resist to the uttermost every one of the proposals he has made in Part I., and to do our best to prevent its passage. But whether the proposals in that portion of the Bill are good or bad, I maintain that they should be put before us in straightforward ordinary English, so that every hon. Member of this House may be enabled to understand them. For the reasons I have thus given, I now beg to move the Instruction that stands in my name.

Motion made, and Question proposed,

"That it be an Instruction to the Committee that they have power to divide the Bill into two Bills, and to consider first Part II., Congested Districts, and to report the same separately to the House." — (*Mr. Edmund Robertson.*)

(4.40.) MR. T. W. RUSSELL (Tyrone, S.): I understand, Sir, that this Debate must be of a very limited character, and in the few remarks I have to make I desire to express the astonishment with which I have heard one of the statements of my hon. Friend the Member for Dundee (Mr. E. Robertson). The hon. Gentleman has mentioned the second part of the Bill, which deals with the congested districts, as being of a non-contentious character. I am very glad to hear him say so; but I would remind the House that last Session, when that which is the second part of this Bill was before us, it was declared by many hon. Members to be the most contentious portion of the measure. The hon. Member for East Mayo (Mr. Dillon), who, by the way, is, I think, a better authority on the Irish land question than the hon. Member for Dundee, spoke against every clause of what is the second part of this Bill, and, so far from declaring that it was non-contentious, he strongly affirmed that it bristled with contentious points from beginning to end. As far as I am concerned, I really do not know what is a non-contentious measure. I do not believe that any Bill can be drawn on this subject that would be non-contentious, and, therefore, I must decline to accept the proposition of my hon. Friend that if the Chief Secretary gives way to his proposal the second part of the Bill can be passed in this House as a practically non-contentious measure. I do not intend to dispute the urgency of this portion of the Bill. Very far from it; but I assert that the problem we have to deal with in respect of the congested districts is one of the greatest problems that can be brought before Parliament. In these districts of Ireland you have, first of all, a poor soil; then you have small holdings; next you have a crowded population; you have also a defective system for the education of the people; and you have, furthermore, a passionate clinging to those patches of bog on which the people are located. When any hon. Member tells me that an attempt to solve a great problem like this, which has baffled the statesmanship of this country for generations, and has never once been fairly or squarely approached until the present moment, is a non-contentious effort, I am glad to hear him; but I should like to hear other hon. Members confirm that statement. I hope, most earnestly, that the second part of this Bill will be passed—that the whole Bill will be passed—and I am not disputing the responsibility which rests on this House in regard to it, especially at the present moment; but I wish to point out to the House that there is a sense in which the urgency spoken of does not attach to this question of the congested districts—a sense which will be appreciated by hon. Members. Where, I ask, does the trouble in regard to the land question come from? We hear a great deal every day, and we hear it with sorrow, about evictions; we hear about the police being employed at evictions; about the connection of the Royal Irish Constabulary with this question, and we hear it very frequently; but I would point out that the pressure does not come so much from the congested districts as from other parts of Ireland, thereby showing that although there may be urgency in the West of Ireland there is also urgency in other portions of the country. My hon. Friend the Member for Dundee seems to think that the small holdings are confined to the western districts, and an idea has got into the head of some people that the operations under the Land Purchase Acts have been mainly in favour of large occupiers. That is a total mistake. If anyone chooses to go to these estates which have been transferred from owner to occupier, and investigate the facts for himself, he will find that the majority are small occupiers and poor men, many of them as poor as those in the congested districts in the West of Ireland. There is, therefore, a necessity for dealing with these districts, and the Government have recognised it, and would be only anxious to meet it, were it not for the urgency of the other parts of Ireland. I do not think my hon. Friend is quite accurate in stating that those who have thousands of pounds will get thousands of pounds added to what they have. [Mr. ROBERTSON: Might.] That is another thing. But I do not believe even that is possible. What of the £5,000 farmer? He has not a large farm. The £5,000 farmer is not considered a large farmer in England and Scotland. The holders of large farms are, however, a very small class in Ireland. According to the Registrar General's Returns for 1880, the number of farmers holding farms of more than 200 acres in Ireland is comparatively small. It is not the large but the small farmers, the small occupiers, who make the model proprietors. I hope the Chief Secretary will resist the proposal of my hon. Friend. If the House is going to take the conduct of the Bill out of the hands of the Government, if the House is going to cut and carve as it likes, then I do not quite understand what will be the character of a measure which will come out of such a process as that. I think the Bill has been wisely drawn, though I still think mischief may result from its having been divided into two parts. However, since the Bill has been drawn in this way, upon a well-conceived plan, I hope the Government will stick to that plan, and that they will carry the Bill to a triumphant issue.

(4.50.) MR. ESSLEMONT (Aberdeen, E.): The hon. Member for South Tyrone has challenged Members to say whether any unreasonable opposition will be given to Her Majesty's Government. If my humble assurance is anything to him, he is extremely welcome to it, and I can assure him that, so far as I am concerned, no such unreasonable opposition will be shown. On a former occasion, my hon. Friend the Member for South Tyrone said he was convinced that too high prices would be given, or too much would be risked over this Land Purchase Bill, and that were it left to the counties and districts to be security no purchases would take place.

MR. T. W. RUSSELL: I did not say that. I was speaking on the question of local control, and I said that if the County Council or Local Authority had control over the sales, they would have the power either of influencing the price given——

MR. DEPUTY SPEAKER: The hon. Member will address himself to the Instruction.

MR. ESSLEMONT: I am aware that I am trespassing, but I was referring to what took place formerly in illustration of what I have now to say. The hon. Member has affirmed that localities have no faith in this Act being worked without giving a larger price for the land than would be given for it under any fair and reasonable business transaction. Although I sympathise largely with my hon. Friend the Member for Dundee, I can see no great purpose that can be served now by taking the control of the Bill out of the hands of the Government, and I am, therefore, unable to support his proposition.

(4.54.) MR. CHANNING (Northampton, E.): Sir, I do not agree with my hon. Friend that the second part of this Bill is free from contentious matter. I think, on the contrary, that a strong argument for the Instruction is that it will raise the most important issues relating to the settlement of the land question. I look upon that part of the Bill referring to the congested districts with a less unfriendly spirit than upon the other portions of it, to which I am absolutely opposed in every way. As to the part dealing with congested districts, I think it must be materially amended, and the Amendments, which are to be moved from this Bill, will test the sincerity of the intentions of the Chief Secretary as they found expression in his remarkable suggestion of a *plébiscite* to the districts of Ireland. That is a question of the first importance, and it is one on which the decision of the House ought to be taken at the earliest possible moment. With regard to the remainder of the Bill, the right hon. Gentleman has, of course, control over the big battalions, and, of course, will be able to carry it though we resist to the utmost. I cordially support the Instruction of my hon. Friend.

*(4.57.) THE ATTORNEY GENERAL FOR IRELAND (Mr. MADDEN, Dublin University): Sir, we have heard from hon. Gentlemen opposite a clear recognition of the very great urgency of the question relating to congested districts, and we have also had indication of a disposition, which we on this side of the House welcome, to deal with this question in a non-contentious spirit. I would point out that there is one conclusive argument against the proposal of the hon. and learned Gentleman, namely, that it is impossible. He proposes that we should consider the congested districts scheme without having first considered Part I. The hon. and learned Gentleman ventures criticism of Hibernian drafting. If his Anglo-Saxon drafting is as bad as his criticism, I can only say that I prefer the worst drafting which I have seen in my native land. Has he read the Bill? If he has not, I say nothing. If he has, then has he not seen that the portions dealing with congested districts have special application to the whole land scheme, with suitable modifications. How has that fact escaped his notice? Has he not seen that one of the most important portions of the congested districts scheme has a special application to the whole land purchase scheme which is adapted with suitable modifications to the circumstances of congested districts?

(5.0.) SIR G. CAMPBELL: I entirely sympathise with the hon. Member for Dundee, whose object is to strike out that part of the Bill which applies to non-congested districts, retaining that part of the Bill dealing with congested districts. I think it is certainly necessary to do something for the congested districts, but for the rest of Ireland it is not necessary to do anything at all. At present the tenants are extremely well off, and in an infinitely better position than the tenants of either England or Scotland. I see no reason, therefore, why the money of the taxpayers should be lavishly given in order to make the tenants of Ireland proprietors of their holdings. To my mind the tenants are already owners for all useful purposes. They do what they like with the land, and they can improve it by exercising their own industry. It is only a question of a word. In any other country but England they would be called the owners. It seems to me that in regard to land we must always have two values, one created by the industry of man, and the other—the unearned increment—given by God. Now, occupiers have a right to all property which is the result of their own industry. But they have no right to the unearned increment, which I contend ought to be devoted to State purposes. As regards the greater part of Ireland no one wants this Bill.

MR. DEPUTY SPEAKER: Order, order! The hon. Member is now arguing the merits of Part I. of the Bill.

SIR G. CAMPBELL: I confess I thought that it was competent to me to do so, as the object of the Instruction is to secure that the House shall have an opportunity of considering Part II. of the Bill, and, having disposed of it, be at liberty if it choose to reject Part I. I do submit that Part I. is altogether unnecessary.

Question put, and negatived.

Bill considered in Committee.

(In the Committee.)

Clause 1.

Committee report Progress; to sit again upon Thursday, 22nd January.

SEED POTATOES SUPPLY (IRELAND) BILL.—(No. 53.)

(5.5.) Bill read a second time, and committed.

Bill considered in Committee.

(In the Committee.)

Clause 3.

COLONEL NOLAN (Galway, N.): This clause is the same as that contained in the Bill of 1880. Subsequently to the passing of that Bill it became necessary to apply to the Treasury for an extension to four years. I hope the Treasury will be willing to grant a similar extension now if necessary.

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): I think the hon. and gallant Member will find that Clause 7 adequately meets his point

Clause agreed to.

Clause 5.

(5.9.) COLONEL NOLAN: On this clause I desire to move an Amendment which will enable the Guardians to sell seed to occupying owners. I think, unless some such provision is made, the Bill will fail to benefit many people who require the advantages of it.

Amendment proposed, in Clause 5, page 2, line 37, after "land," to insert "and to occupying owner."—agreed to.

(5.10.) MR. MACARTNEY (Antrim, S.): What provision is to be made by Government to control the sale of seed?

MR. A. J. BALFOUR: My hon. Friend will see from Clause 11 that there are wide powers given to the Local Government Board, with the consent of the Lord Lieutenant, for making rules for the distribution of seed. I hope that the object aimed at will be adequately carried out.

(5.11.) MR. MACARTNEY: Seeing the progress which is being made with the Bill I do not wish to take up the time of the Committee, but I do desire to place on record my protest against seed being distributed except for cash payments.

(5.12.) COLONEL NOLAN: In the case of the ordinary Unions it is perfectly understood that the seed must be paid for, and no liability will, therefore, be incurred, but in the case of the five or six very poor Unions it would, I think, be very unwise to insert such a provision. My hon. Friend may rely on it that not a single penny will be wasted by Guardians under this Bill.

Remaining clauses agreed to.

(5.16.) COLONEL NOLAN: Would it not be desirable to insert a new clause showing what is to be taken as *primâ facie* evidence of the delivery of seed? There have been many disputes raised on this point in the past, and much trouble has ensued, so that it would be as well to define the evidence in the Bill.

*(5.17.) THE ATTORNEY GENERAL FOR IRELAND (Mr. MADDEN, Dublin University): I think that is met by Clause 11, which gives wide powers for the framing of rules and forms of receipts, which will be *primâ facie* evidence.

MR. A. J. BALFOUR: At any rate, we will confer with the hon. and gallant Member on the point before the Report stage is taken.

Bill reported; as amended, to be considered upon Monday next.

SUPPLY—REPORT.

Resolution [4th December] reported.

CIVIL SERVICE ESTIMATES.

CLASS VII.—MISCELLANEOUS.

"That a sum, not exceeding £5,000, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1891, for certain Expenditure in connection with apprehended distress in Ireland."

*(5.21.) SIR GEORGE TREVELYAN (Glasgow, Bridgeton): I should like to say one or two words on this question, as it is a subject to which I gave careful study a few winters ago. Yesterday the right hon. Gentleman stated that he intended to be guided by experience. In one most important matter he has been so guided. The winter of 1883-4 was the time when the question of not relaxing the ordinary operation of the Poor Law was fought out, and settled. It is true that it has once been disturbed since then; but the right hon. Gentleman has reverted to the right course, and I hope that matter is settled for ever. There is one other point upon which I hope the right hon. Gentleman will be guided by experience. In the famine of 1846, which was a much more serious matter than the distress in 1880, when relief works on an enormous scale was started, it was proved that relief works and improvements ought to be strictly separated. The right hon. Gentleman has two classes of relief works, one consisting of railways,

and against these I have nothing to say. They are, in the truest sense, relief works; and as they will promote communication they are likely to prove of permanent benefit. But I hope the right hon. Gentleman will be most careful in setting on foot works which are taken in hand for the purpose of giving wages, for the experience of 1846 and of 1880 showed that such works completely demoralised the whole population of Ireland. They had to be given up, and relief in food substituted. In the present case relief works of reclamation and afforesting are to be set on foot in order to give wages. That is a most dangerous thing to do. The result of these relief works on a great scale during the great famine was described by one who had the most intimate personal experience of what occurred from first to last, and he stated that the attraction of wages from the public purse led to the abandonment of other works, and every description of industry participated in the relief; that landlords competed with each other in getting the names of their tenants on the lists, that masters dismissed their servants, and that the clergy insisted that their parishioners should be put on the works. The consequence was that the fisheries were deserted, and one could not get shoes patched or clothing mended, because the whole of the population was out on the roads. I see no reason why the same painful effects should not follow in the case of these works, although, of course, they will not be on so extensive a scale. I think the right hon. Gentleman, however, is alive to the danger; and if he looks back to the history of those days he will find that the danger is a very real one. In 1846 it was distinctly discovered that the naval and military officers and the engineers engaged in supervising the works, although strangers to the district, were able to distinguish between those people who required employment for the purposes of relief and those who might be better employed elsewhere. I hope that the relief works, which have been chosen with such care by the right hon. Gentleman, will prove of real service to the country; but I repeat that I trust he will stop them immediately it is found that they are having a demoralising tendency and substitute for them actual relief in food.

Sir George Trevelyan

(5.26.) COLONEL NOLAN: I think the case of 1846-47 absolutely differs from the present case, because in those years the relief works were on a gigantic scale, and those now projected are to be carried out in a very different manner. A better comparison is, I think, to be obtained in the year when the right hon. Gentleman who last spoke was Chief Secretary, and himself so well-managed some small relief works in Connemara and avoided all the difficulties against which he has warned the Chief Secretary. I have but one other observation to make. I would suggest that the right hon. Gentleman should arrange the work so that the minimum shall be done in the sowing season. I may also suggest that in the case of small towns of 4,000 or 5,000 inhabitants sanitary works should be included.

(5.28.) MR. A. J. BALFOUR: Of course, I will consider the suggestions with regard to sanitary works, but I am afraid such works are not likely to give large employment to unskilled labour in proportion to their cost. It should also be borne in mind that it is the village labourer who suffers chiefly from the famine, and it may be anticipated that the starting of these railway and other works will give a stimulus to the trade of the small towns from which the labourers in those places will benefit. With regard to what has fallen from the right hon. Gentleman, I acknowledge that he has not only himself had experience of the industrial condition of the West, but he has an hereditary claim to speak on the subject of Irish distress, since the late Sir Charles Trevelyan took a most distinguished part in the relief of the great famine. I can assure him I am fully alive to the dangers incident to these relief works. I admit that it will be extremely difficult to carry out the works without a certain amount of collateral abuse, but I will try to reduce it as much as possible by the precautions I propose to take. The Government, who are undertaking these works, will have absolute control over them with respect to the time that they shall take and the expenditure upon them, and care will be taken that the works which are undertaken shall be of a complete kind and shall avoid the extravagance, jobbery, and inutility which have marked those in the past. One of the first principles I have laid down to the officers in charge of the works is, that under no circumstances are the works to be allowed to interfere with any other form of industrial occupation whatever. Care will be taken to consider the point which has been raised —namely, the requirements of cultivation at the time of sowing potatoes in the spring. A certain amount of that, I believe, could be done by the men's family, but I shall take care that work shall be given at a time when it is really requisite. I thank the right hon. Gentleman again for the general approval he has given to the scheme, and also for the suggestions he has offered to me. I assure him I shall not forget their substance or their general tenour.

(5.31.) Dr. COMMINS (Roscommon, S.): I wish to mention a work which I think could be most appropriately undertaken in pursuance of the right hon. Gentleman's relief operations. There has been for several years a great want of waterworks in the little town of Roscommon. Preparations are being made for bringing water from the Shannon, and I ask the right hon. Gentleman to communicate with the authorities of Roscommon on the subject. This is a work which would give employment to people who are likely to require it, and which would probably fall in with the Chief Secretary's view with respect to relief work.

(5.32.) Mr. STOREY (Sunderland): I hope the Chief Secretary will at once accept the suggestion made by my hon. Friend (Dr. Commins). The House is in a sympathetic humour; if the right hon. Gentleman asked for a million sterling I believe he would get it. If he would only give something to each Irish Member for each constituency he would strike a deadly blow at Home Rule.

Resolution agreed to.

THE CASE OF WALTER HARGAN.

On the Motion for adjournment,

*(5.33.) The FIRST LORD of the TREASURY (Mr. W. H. Smith, Strand, Westminster): I think the feeling of the House is in favour of an immediate adjournment. Last night we agreed that no business except Government Business should be taken this evening. I see that my right hon. Friend (Mr. J. Lowther) has a Motion on the Paper, but this is hardly an occasion in which to discuss a Motion of that character. I therefore beg to move that the House do now adjourn.

Motion made, and Question proposed, "That the House do now adjourn."—(*Mr. W. H. Smith.*)

Mr. J. LOWTHER (Kent, Thanet): I have the following Motion on the Paper:—

> "To call the attention of the House to the grave miscarriage of justice in the case of Walter Hargan, who is undergoing a sentence of 20 years' penal servitude for defending his own life; and to move that an humble Address be presented to Her Majesty praying that She will be graciously pleased to direct that a free pardon be granted to Walter Hargan."

and I must own the Motion of my right hon. Friend the leader of the House is of a most unusual and scarcely decent character. The other day a Motion was made asking private Members to give up their privileges. I was under the impression at the time that my right hon. Friend had no wish unduly to interfere with the rights of private Members, except in so far as it was necessary to do so in order to effect the object which the Government had in view—namely, the despatch of urgent business. The Resolution which stands in my name as an Amendment to the Order of Supply relates to a subject which has aroused a great deal of interest. It is now only 25 minutes to 6 o'clock, and there is ample time to discuss this matter without interfering unduly with those social functions which, no doubt, at this hour are uppermost in the minds of some hon. Members. My right hon. Friend will be committing an outrage upon the rights of the House at large if he insists upon the Motion for Adjournment, and will be showing that the only object of the Government in making their Motion the other day is to strangle the privileges of private Members. I shall certainly object to the Motion for Adjournment.

(5.38.) Colonel DAWNAY (York, N.R., Thirsk): I earnestly appeal to the leader of the House to re-consider his decision as to the adjournment of the House. A great many Members take a very serious interest in the question which my right hon. Friend wishes to bring forward. He may not have another opportunity this Session of bringing the matter forward.

*MR. BRADLAUGH (Northampton): I withdrew the Motion which stood in my name in order to give the right hon. Gentleman (Mr. J. Lowther) an opportunity of introducing his, and, therefore, for what it is worth, venture to add my appeal to his. While I am on my feet, I should like to draw the attention of the leader of the House to an answer given earlier in the day by the Under Secretary of State for India (Sir J. Gorst), because unless by Monday some attention is paid to the matter, it may be my duty to raise a debate in a way which would be unpleasant to all of us.

(5.40.) MR. W. H. SMITH: The Government are not at the present moment in a position to discuss the subject of my right hon. Friend's Resolution. The matter is now receiving the most serious consideration of the Secretary of State for the Home Department. The House, I am sure, will feel that in these circumstances the Government cannot fitly discuss this grave subject, which concerns the administration of justice and the exercise of the prerogatives of mercy by the Crown. My right hon. Friend has assured me that he is weighing carefully all the circumstances of the case. Could it be right to debate in this House a matter which, in his *quasi*-judicial capacity, the Home Secretary is still considering with a full sense of his responsibility? It would certainly not be in accordance with precedent to force on a Debate before the Secretary of State, the officer responsible to the Crown, has had full opportunity of forming a definite judgment.

*MR. BRADLAUGH: The right hon. Gentleman has taken no notice of the other point put to him.

*MR. W. H. SMITH: I will undertake to communicate with my right hon. Friend on the subject.

MR. J. LOWTHER: With the indulgence of the House, I would say that this is a subject which in no way concerns myself specially, but it is one which involves the liberty of the subject. I shall certainly not waive my present opportunity of bringing it forward unless the right hon. Gentleman assures me that when Parliament reassembles after Christmas I shall be placed in as good a position as I occupy now for drawing attention to the matter. If I am assured that my Motion will be given the first place on the Paper on some afternoon soon after the re-assembling of the House I shall be satisfied.

*MR. W. H. SMITH: I cannot give my right hon. Friend an assurance of that character. I can only assure him that the Secretary of State will give full consideration to all the facts of the case.

MR. J. LOWTHER: Will the Government give me a day?

*MR. W. H. SMITH: I cannot undertake to do that. My right hon. Friend will be able himself to find a way to bring the matter forward.

MR. J. LOWTHER: I shall take the sense of the House.

MR. J. CHAMBERLAIN (Birmingham, W.): May I point out that the right hon. Gentleman (Mr. J. Lowther) has the matter entirely in his own hands. If he wants an early day for a Debate on this important subject, in which a large number of Members are undoubtedly interested, he will be able to secure the opportunity by a Motion for the Adjournment of the House. I can only say that if my right hon. Friend should see fit to give way to the appeal made to him by the leader of the House, I would certainly support him on a subsequent occasion in a Motion for an Adjournment of the House.

MR. J. LOWTHER: On a point of Order, Mr. Deputy Speaker, am I to understand it would be within my power to bring the subject forward on a Motion for Adjournment as an urgent matter of definite public importance?

MR. DEPUTY SPEAKER: That would be for the occupant of the Chair to settle, but I think there are examples warranting the belief that the right hon. Gentleman would be able to take that course.

MR. J. LOWTHER: Under these circumstances I shall give way, but I shall raise the question on an early day after the re-assembling of Parliament.

House adjourned at a quarter before Six o'clock, till Monday next.

HOUSE OF LORDS,

Monday, 8th December, 1890.

SAT FIRST.

The Earl Cairns, after the death of his brother.

BUSINESS OF THE HOUSE.

QUESTION—OBSERVATIONS.

Earl GRANVILLE: My Lords, I rise to ask the noble Marquess whether he will be good enough to state to the House the course of business he proposes?

The PRIME MINISTER and SECRETARY of STATE for FOREIGN AFFAIRS (The Marquess of Salisbury): It is very important that two Bills for the relief of distress in Ireland should receive the Royal Assent before the House separates, and, therefore, we propose to meet early to-morrow in order to complete the necessary stages before the Royal Commission in the evening. We propose then to adjourn to the 22nd of January, except, of course, for legal business.

THE PORTUGUESE AND ENGLISH IN AFRICA.

QUESTION—OBSERVATIONS.

Earl GRANVILLE: There is a question I should like to put to the noble Marquess. It is, whether he can give us any further information than that which has appeared in the newspapers with regard to the incident connected with Colonel Andrade—the reported hauling down of the British flag by the Portuguese in Africa?

The Marquess of SALISBURY: I am afraid I can give no information which would be of any use. The Portuguese and the English accounts appear to differ considerably, as far as we can gather from the imperfect and somewhat obscure telegrams. I prefer, therefore, not to say anything until we have received information by despatch.

THE EDUCATION CODE.

QUESTION—OBSERVATIONS.

Lord NORTON: I beg to ask the noble Lord the President of the Council at what date it is likely that the Education Code will be laid on the Table when the House meets again after the adjournment, whether it will be before Easter or later?

The LORD PRESIDENT of the COUNCIL (Viscount Cranbrook): My Lords, my noble Friend had not given me any notice of this question, so that I cannot answer it very particularly; but I have no reason to suppose there will be any cause for delay in laying the Code on the Table, and I have no doubt it will be done as early as he can wish.

CHILDREN'S LIFE INSURANCE BILL [H.L.]

A Bill to amend the law relating to insurances on the lives of children—Was presented by the Earl of Harrowby (for the Lord Bishop of Peterborough); read 1ª; to be printed; and to be read 2ª on Thursday, the 22nd of January next. (No. 16.)

TRANSFER OF RAILWAYS (IRELAND) BILL.—(No. 15.)

Read 2ª (according to order), and committed to a Committee of the Whole House; Standing Orders Nos. XXXIX. and XLV. considered (according to order), and dispensed with.

Moved, That the House do now resolve itself into Committee; agreed to.

House in Committee accordingly.

Clause 17.

The LORD CHANCELLOR: I propose to omit, in Clause 17, all after the words "promoters shall be aided by a capital sum out of public money," and to make the clause read thus:—

> "Where the Treasury in pursuance of the Light Railways (Ireland) Act, 1889, have agreed with the promoters of any light railway that the undertaking of the promoters shall be aided by a capital sum out of public money, the promoters, before the arbitrator has framed his draft award, may enter upon any land which they are authorised to take, on depositing in the Bank of Ireland such sum as may be certified to be proper by such valuer as may be appointed for the purpose by the Commissioners of Public Works, and the Treasury on the request of the promoters shall cause to be paid into the Bank, out of such capital sum, any sum required to be deposited in the Bank for the above purpose, and the Railways Acts (Ireland), 1851 and 1860, and the Acts amending the same, shall, as amended by this section, apply accordingly."

I may mention that the object of the Amendment is to harmonise the Bill with Irish legislation. The draftsman has apparently taken the analogy of the Lands Clauses Act of England, and has made the machinery of that Act apply to the Bill. He seems to have forgotten that the Lands Clauses Consolidation Act for Ireland is a totally different measure, and that its machinery is different, and the effect of my Amendment is to restore the Bill to a form which will make it in harmony with the Irish legislation.

Amendment agreed to; the Report thereof received; Bill read 3ª with the Amendments, and passed, and returned to the Commons.

HARES PRESERVATION BILL [H.L.]

(No. 4.)

House in Committee (according to order): Bill reported without amendment: Amendments made; and Bill to be read 3ª to-morrow.

ARCHDEACONRY OF CORNWALL BILL

[H.L.]—(No. 8.)

House in Committee (according to order): Bill reported without amendment; and to be read 3ª to-morrow.

DURATION OF SPEECHES IN THE HOUSE OF LORDS BILL [H.L.]—(No. 14.)

SECOND READING.

Order of the Day for the Second Reading, read.

*LORD DENMAN: My Lords, this is the third time I have brought forward a Bill on this subject. On the first occasion I presumed to include the House of Commons, but on consideration I thought it was better that I should not attempt to dictate to another branch of the Legislature the adoption of that which should be approved of in this House. I happen to know that there is a Bill pressing forward in another place, and I believe that the author of that Bill would be perfectly ready to support any measure which your Lordships approved of. In the case of procedure a great deal has been done in this direction, and full latitude was given to Privy Councillors to speak for an unlimited time; but certainly that does not seem to me to tend to the rapid transaction of business. I think that the substitution of an hour-glass for regulating time would be an improvement. It certainly would be less offensive than to have a bell sounding in your Lordships' ears. I have no other wish on the subject than to provide for the transaction of Public Business being less clogged than it has often been hitherto. I would venture to remind your Lordships that in 1831 Mr. Stanley brought forward a Bill upon the subject. The only person who opposed it was Mr. Shaw, the Recorder of Dublin. He divided the House 17 times, and although it was a Wednesday Sitting, the House sat on until an early hour in the morning. I wish to see everything go smoothly, and I will do my best to facilitate the fair and proper consideration of Public Business.

Moved, "That the Bill be now read 2ª."—(*The Lord Denman.*)

THE MARQUESS OF SALISBURY: I think, perhaps, we had better reserve our energies for more urgent and serious grievances than this, and that we need not consider a proposal of this kind until the Debates in your Lordships' House assume such a character as to render it necessary. Any person who is not content with the speed at which your Lordships transact business in this House and who complains of the duration of time which you devote to it in making speeches must, indeed, be very hard to please. I think that whenever the speeches in this House come to be of the model referred to by the noble Lord, when a speaker carried on his speech until 1 o'clock in the morning, your Lordships may very well undertake some such reform as this; but until that condition of things comes about, we had better do without this legislation. I am compelled to make the unusual Motion, that this Bill be read a second time this day ten months.

Amendment moved, to leave out ("now") and add at the end of the Motion ("this day ten months.")—(*The Marquess of Salisbury.*)

On Question whether ("now") shall stand part of the Motion, resolved in the negative.

Bill to be read 2ª this day ten months.

SEED POTATOES SUPPLY (IRELAND) BILL.

BROUGHT FROM THE COMMONS.

THE LORD PRIVY SEAL (Earl CADOGAN): In asking your Lordships to give a First Reading to this Bill, which is one of the two measures for the relief of distress in Ireland to which the Prime Minister alluded at an earlier stage of the proceedings, perhaps I may be allowed to say that its object is to enable the poorer occupiers in various districts in Ireland to obtain seed potatoes at a reasonable price. The provisions of the Bill are very similar to those of the Seed Supply Act which was passed in 1880. Its general object is to secure that there shall be a proper supply of seed potatoes for next year's crop brought to the doors of the poorer occupiers in those districts where, at present, it would be very difficult to obtain it. For this purpose different Boards of Guardians are empowered to apply to the Local Government Board for loans in any division of a Poor Law Union where such a state of things exists, and where it would be impossible for the inhabitants to retain seed potatoes because they will have to eat all the potatoes of which they are now possessed. If the Local Government Board approves, the loan will be made on the security of the poors rate of the division, and will be repayable by half-yearly payments during 1892 and 1893, but the interest is to be payable out of the Irish Church Temporalities Fund. The main objects of the Bill are that seed potatoes shall be brought to the doors of the poorer occupiers, that they will obtain that supply at cost price, that they will have two years' credit, during which time they will make payment to the Board of Guardians for the potatoes they have bought, and the middleman will thus be got rid of. I hope your Lordships will allow me to give notice of a Motion to suspend Standing Order No. XXXIX., in order that this Bill may be passed through its remaining stages at an early Sitting tomorrow.

Bill read 1ª; and to be read 2ª tomorrow; and Standing Orders Nos. XXXIX. and XLV. to be considered in order to their being dispensed with.

FISHERY BOARD (SCOTLAND) BILL.

*THE SECRETARY FOR SCOTLAND (The Marquess of LOTHIAN): I have to ask your Lordships to allow me to introduce a Bill entitled—

> "An Act to alter the Constitution of the Fishery Board for Scotland, and to amend the laws in respect of the mussel fisheries in Scotland."

I had hoped your Lordships would have passed the Bill before the Recess, but circumstances over which we had no control prevented that. I have now, therefore, only to ask your Lordships to read the Bill a first time.

A Bill to alter the Constitution of the Fishery Board for Scotland, and to amend the law in regard to mussel fisheries in Scotland—Was presented by the Lord Ker (*M. Lothian*); read 1ª; and to be printed. (No. 17.)

CUSTODY OF CHILDREN BILL [H.L.]

A Bill to amend the law relating to the custody of children—Was presented by the Lord Chancellor; read 1ª; and to be printed. (No. 18.)

House adjourned at a quarter before Five o'clock, till to-morrow, half-past Ten o'clock.

HOUSE OF COMMONS,

Monday, 8th December, 1890.

MR. SPEAKER'S CONTINUED ABSENCE.

The House being met, the Clerk at the Table informed the House that Mr. Speaker was again unavoidably prevented from taking the Chair of the House this day.

Whereupon Mr. Courtney, the Chairman of Ways and Means, proceeded to the Table; and, after Prayers, took the Chair as Deputy Speaker, pursuant to the Standing Order.

NEW WRIT.

For Kilkenny County (Northern Division), *v.* Edward Mulhallen Marum, esquire, deceased.

QUESTIONS.

THE TIPPERARY PROSECUTIONS.

MR. J. M'CARTHY (Londonderry): I beg to give notice that as soon as possible after the re-assembling of the House next year I shall call attention to the circumstances connected with the prosecution of Mr. Dillon and Mr. W. O'Brien, and move a Resolution.

At a subsequent stage,

MR. T. W. RUSSELL (Tyrone, S.) said: I wish to ask the Chief Secretary for Ireland whether, in view of the notice given by the hon. Member for Londonderry (Mr. J. M'Carthy) that he will take the earliest opportunity to review the proceedings at New Tipperary, he will lay upon the Table the Judgment given by Baron Palles in the case of Mr. O'Brien Dalton?

MR. A. J. BALFOUR: Yes, Sir; if there is, as I have reason to believe that there is, an authentic copy of that Judgment in existence, I shall be happy to lay it upon the Table of the House.

THE NAVAL RESERVE.

DR. R. M'DONALD (Ross & Cromarty): I beg to ask the First Lord of the Admiralty whether he is aware that the Chief Officer in charge of the Naval Reserve men in Stornoway employs these men in rowing visitors to Stornoway Castle round the harbour there, preparing and decorating their drill shed for over a week for a friend's marriage, and using rockets the property of the Admiralty to celebrate the same, and, generally speaking, often requisitions the labours of the Reserve men for his own private purposes in his house and elsewhere; and whether the employment by an officer of Naval Reserve men for private purposes is in accordance with the regulations of the Admiralty?

*THE FIRST LORD OF THE ADMIRALTY (Lord G. HAMILTON, Middlesex, Ealing): I have called for a Report on the allegations made by the hon. Gentleman from which it appears that the Chief Officer in charge of Naval Reserve men at Stornoway is not in the habit, as suggested, of employing these men to row visitors to Stornoway Castle round the harbour. It is true that one lady who was staying at the Castle was on several occasions rowed by Coastguard men at a time when they had no duty to perform. As regards the drill shed, it was lent for one evening for a private entertainment, and a few flags and evergreens were put up by the Coastguard during the evening. Steps will be taken to prevent a recurrence of this irregularity. The rockets used on the occasion in question were private property. There is no foundation for the suggestion that the Chief Officer employs the Naval Reserve men for private purposes.

THE MERCHANT SHIPPING ACT.

MR. LENG (Dundee): I beg to ask the President of the Board of Trade whether, under "The Merchant Shipping Act, 1854," if a seaman has been seriously injured in the execution of his duty on board his ship, the master of the vessel may land him at a distant foreign port, the owners can immediately stop the wife's half-pay, and their obligation to pay the disabled seaman's wages ceases from the date he is put on shore; whether, if a vessel is lost at sea and all hands perish, the widows and children, or other representatives of the crew, are only paid wages up to the supposed time of the loss of the ship, although the owners, who have insured their freight, recover the whole sum as if the voyage had been completed; and whether, if such cases can and do frequently occur under the present state of the law, he will propose Amendments on the Merchant Shipping Act containing more humane and equitable provisions with reference to the payment of seamen's wages?

*THE PRESIDENT OF THE BOARD OF TRADE (Sir M. HICKS BEACH, Bristol, W.): The answer to the first question is "Yes;" but it should be added that, if any seaman receives any hurt or injury in the service of the ship to which he belongs, the expense of providing the necessary surgical and medical advice, with attendance and medicines, and of his subsistence until he is cured, or dies, or is brought back to some port in the United Kingdom, if shipped in the United Kingdom, or if shipped in some British Possession to some port in such Possession, and of his conveyance to such port, and the expense (if any) of his burial, shall be defrayed by the owner of such ship, without any deduction on that account from the wages of such seaman. The answer to the second question is also "Yes;" the wages do not accrue after the termination of the service through wreck—see Section 185 of "The Merchant Shipping Act, 1854." The insurance of freight is not in any way regulated by this provision. The extension of the Employers' Liability to Seamen contemplated by the Bill of last Session would, of course, provide for further compensation from owners to men injured in their service.

SCOTCH CORN MILLS.

DR. R. M'DONALD: I beg to ask the Lord Advocate whether he will be good enough to say what is the state of the Common Law in Scotland in reference to the provision and up-keep of corn mills by the landlords in country districts; and whether, when such mills have been in existence from time immemorial, and have been accidentally destroyed by fire or otherwise, it is incumbent on the landlords to have them restored for the use of the occupiers of the soil?

*THE LORD ADVOCATE (Mr. J. P. B. ROBERTSON, Bute): I am sure the hon. Gentleman intends the first part of his question to be introductory to the second, and does not desire me to inflict on the House any general exposition of the law. In the ordinary case, and apart from special conditions or speculations, I am not aware of any Common Law obligation on the proprietors of corn mills which have been accidentally destroyed by fire or otherwise to have them restored.

CENTRAL POST OFFICE ACCOMMODATION.

SIR GEORGE BADEN-POWELL (Liverpool, Kirkdale): I had intended to ask the Postmaster General if he can explain why it is that in London, Manchester, Birmingham, Newcastle, and other large towns, adequate and extensive buildings have been erected at the public expense for Central Post Office accommodation, but that in Liverpool, the second largest commercial city in England, the Central Post Office has been lodged in buildings designed and erected to serve as a Custom House; and whether, with a view to providing adequate accommodation for the large postal business necessarily transacted in Liverpool, and securing better sanitary conditions for the numerous *employés*, any further steps have been taken towards providing Liverpool with adequate Central Post Office buildings, but I beg to defer the question?

*THE POSTMASTER GENERAL (Mr RAIKES, Cambridge University): New head post offices have been erected within the last few years at Manchester, Birmingham, and other towns where the exigencies of the Public Service have showed conclusively that nothing less would suffice. But it is not certain that such is the case at Liverpool, where large expenditure has been incurred for the purpose of decentralising the post office business. The building in which the business of the Head Post Office has been conducted for many years was not designed solely for a Custom House, and there is room to conceive that the allegations of insalubrity may be exaggerated; but additional accommodation is admittedly required, and by my directions a special inquiry is now being made into the whole subject.

BIBLE CLASSES.

MR. FRASER-MACKINTOSH (Invernessshire): I beg to ask the Postmaster General whether the Post Office regulations permit of outsiders holding Bible classes, prayer and temperance meetings, and such like, within those rooms appropriated for dining rooms or reading rooms in the larger post offices?

*MR. RAIKES: There are no Post Office Regulations on the subject to which the hon. Member calls attention. The practice has been to allow officers of the Department desiring such facilities the use of rooms which could conveniently be employed for any objects of a beneficial character in which the staff might happen to be interested. The participation in such meetings of persons not officially connected with the Service is invariably conditional upon the consent of the proper authorities, who also exercise due care that there is no interference with the right use and enjoyment of the rooms by other members of the staff.

TELEPHONES.

Dr. CAMERON (Glasgow, College): I beg to ask the Postmaster General whether, in view of the fact that the patent for the telephone in use by the company which possesses a practical monopoly of telephonic communication in Great Britain has now expired, and in view of the numerous complaints on the part of the public as to high rates and faulty service resulting from that monopoly, he will, with as little delay as possible, make known his decision as to applications for licences submitted to the Post Office by proposed competitors desiring to introduce loud speaking and long distance telephones, and other forms of improved instruments?

*Mr. RAIKES: In reply to the hon. Member I have to say that I trust that I may be able at an early date to announce the decision of the Government with regard to licences for Telephone Exchanges. It should be borne in mind that the patents for the more important telephones have not expired and do not expire until July in next year.

RATE OF EXCHANGE IN INDIA.

Mr. HOYLE (Lancashire, S.E., Heywood): I beg to ask the Under Secretary of State for India if he will state what was the estimated rate of exchange made by the Finance Minister for India for the year 1890-91; what has been the lowest rate, and what the highest rate realised during the current year; and what is the total amount realised in excess of the estimate in tens of rupees and in pounds sterling, up to the present time?

The UNDER SECRETARY of STATE for INDIA (Sir J. Gorst, Chatham): The estimated rate of exchange for 1890-91 was 16·552 pence per rupee. The lowest rate realised during the year has been 17 1-16d.; the highest 20 15-16d. The excess over the estimate is £995,063.

MILITARY STORES.

*Mr. BRADLAUGH (Northampton): I wish to ask the First Lord of the Treasury, in reference to an answer which was given by the Under Secretary for India on Friday, and the undertaking which he gave on the 22nd of July last, whether he can now state that anything has been done in pursuance of that undertaking?

*The FIRST LORD of the TREASURY (Mr. W. H. Smith, Strand, Westminster): The hon. Gentleman is fully entitled to ask this question. The Government have taken steps to bring about a settlement, and they have every reason to believe that a conclusion will be arrived at before the re-assembling of Parliament.

THE DISCHARGED POSTMEN.

Mr. WOOTTON ISAACSON (Tower Hamlets, Stepney): I beg to ask the Postmaster General when and by whom the inquiries were made into the characters of the 57 discharged postmen who had been in the Service from three to 30 years; and whether their characters were found to be satisfactory in every respect; and, if so, when does he intend to reinstate them, considering they have been out of employment since last June?

*Mr. RAIKES: The inquiries were made by myself in those quarters in which alone authentic information could be obtained. Many of the dismissed postmen bore good characters; but, having regard to the extreme gravity of their offence—an offence as grave as any that a public servant can commit—and the imperative necessity of discouraging any similar misconduct in future, I regret that I do not feel justified in holding out any hope that they can again be employed by the Department. If the hon. Member will refer to the answer given by me to him on July 14th last, he will see that I then intimated that considerations of the public interest must govern my decision in these cases.

Mr. W. ISAACSON: Owing to the very unsatisfactory answer I have received from the right hon. Gentleman, I beg to give notice that I will call attention to the subject on the Post Office Estimate.

BLAENLLECHA POST OFFICE.

Mr. ALFRED THOMAS (Glamorgan, E.): I beg to ask the Postmaster General whether his attention has been drawn to the fact that, from the 28th of October last, no Post Office Orders or Postal Orders have been issued, and that the Savings Bank has been closed since that date at the Blaenllecha Post

Office, to the serious inconvenience of the inhabitants of that populous district?

*MR. RAIKES: The re-opening of the Blaenllecha Post Office will take place as soon as a suitable person for the appointment of sub-Postmaster can be selected and instructed in the duties of the office. I hope to be able to effect this in the course of the present week.

THE CROZET ISLANDS.

MR. LENG: I beg to ask the First Lord of the Admiralty whether, as more than one British vessel has been missing recently between the Cape of Good Hope and Australia, and it is probable their crews may have landed on the Crozet Islands, there is any reason why one of the nine ships in the service of Her Majesty at present in commission on the Cape of Good Hope and West African Stations, should not, for the satisfaction of the friends of the crews of the missing ships, periodically visit those islands, in the hope of rescuing seamen who may have landed upon them?

*LORD GEORGE HAMILTON: If the hon. Member will refer to the Correspondence presented to the House of Commons in June, 1876, and May, 1877, he will see that a visit to these islands can only be undertaken at considerable risk. There is no vessel on the Cape station able to steam the long distance (nearly 4,000 miles) involved, without coaling. There is at present no sufficient evidence to show that the crews of the missing vessels are at the Crozet Islands, and in the absence of such evidence Her Majesty's Government do not feel justified in ordering a vessel to undertake the onerous duty suggested.

SALE OF CROWN PROPERTY IN WALES.

MR. ALFRED THOMAS: I beg to ask the Secretary to the Treasury with respect to the following sales that have been made of Crown property in Wales between 1849 and 1888: (a) lands, foreshores, and rights of the value of £85,535; (b) encroachments on waste lands, £30,236; (c) fee-farm and other unimprovable rents of the value of £34,346, whether it is part of the policy of the Commissioner of Woods and Forests to sell foreshores in Wales, and whether the inhabitants of the districts where the foreshores are situate are consulted previously to each sale; whether in many of the cases where fee-farm rents are sold there is some reversion belonging to the Crown under 34 and 35 Henry VIII, c. 20, or otherwise, and whether records are kept of all cases where there is such a reversion; and whether the Commissioner of Woods and Forests will henceforth abstain from all sales of land in Wales except for public purposes?

THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.): As regards the Crown foreshores in Wales which remain under the management of the Commissioner of Woods, the policy of the Commissioner is rather against the sale of them, excepting to public bodies or when they are required for the execution of expensive works of improvement. It is the practice to consult the *ex adverso* proprietors before disposing of foreshore, unless taken under Act of Parliament. It is not supposed that there are many cases where fee-farm rents are sold in which there is any reversion belonging to the Crown under 34 and 35 Henry VIII., c. 20, or otherwise. The sale of the fee-farm rent would not extinguish the reversion. A record is kept of such cases as are known. I am unable to give an undertaking that the Commissioner of Woods will henceforth abstain from all sales of land in Wales except for public purposes.

PRISON CLERKS.

MR. JUSTIN M'CARTHY: I beg to ask the Secretary of State for the Home Department, with reference to a question put to him on 30th June last, whether he can now communicate to the House the terms of the Report of the Departmental Committee, appointed so long ago as April, 1886, to inquire into the complaints of the Clerks in Her Majesty's Prisons?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): It is not usual to lay on the Table of the House the Report of a Departmental Committee on such a subject as that of the complaints of the Clerks in Her Majesty's Prisons, such a Report being of a confidential character. But I am able to inform the hon. Member that, with the approval of the Treasury, I have been able to sanction an increase in the scale of pay, and a large addition to the number of the highest grade of Clerks and Storekeepers in Her Majesty's Prisons, by which a considerable improvement will be made in their position. I shall have no objection to laying on the Table of the House a statement of the changes that have been made if it is wished.

MERCHANDISE MARKS.

SIR ROPER LETHBRIDGE (Kensington, N.): I beg to ask the President of the Board of Trade whether Her Majesty's Government have taken, or will take, any steps to give effect to the recommendation of the Select Committee on Merchandise Marks to make the Customs' entry trade description under the Act?

*SIR M. HICKS BEACH: I am carefully considering the best way of giving effect to the recommendations of the Select Committee on the Merchandise Marks Act, and I hope at an early date to be able to announce to the House the result of that consideration.

LATIMER ROAD BOARD SCHOOL.

SIR ROPER LETHBRIDGE: I beg to ask the Vice President of the Committee of Council on Education whether he is aware that on 1st December a portion of the ceiling of one of the rooms of the Latimer Road Board School fell down suddenly, injuring some of the children; whether further examination has shown other portions of the building to be dangerous to the lives of the poor children compelled to attend there; whether the Education Department will, in consultation with the London School Board, take steps to fix the responsibility for such dangerous condition of school buildings on someone; and what steps, if any, are being taken to protect the lives of the Board school children from such dangers in the future?

THE VICE PRESIDENT OF THE COUNCIL (Sir W. HART DYKE, Kent, Dartford): The Department have no official information on the subject, though I believe the facts are as stated in the first part of the question. The duty of the Department is limited to ascertaining whether the school is in proper repair before the annual grant is made to it, but the responsibility for its actual condition rests entirely with the London School Board.

ARMY MEDICAL DEPARTMENT.

DR. FARQUHARSON (Aberdeenshire, W.): I beg to ask the Secretary of State for War whether he can now inform the House what answer he has given, or intends to give, to the British Medical Association and the various medical corporations and medical schools who recently memorialised him by deputation, and otherwise, with reference to proposed changes in the Army Medical Department?

THE SECRETARY OF STATE FOR WAR (Mr. E. STANHOPE, Lincolnshire, Horncastle): I think the hon. Member will agree that my answer ought to be addressed to the deputation which waited on me, and I will undertake to give it in January.

HOUSE OF COMMONS SESSIONAL PAPERS.

MR. KNOWLES (Salford, W.): I beg to ask the Secretary to the Treasury if he can arrange that the Annual Index of the Sessional Papers of the House of Commons shall be so compiled as to include year by year references to all Papers published since the preceding Decennial Index?

MR. JACKSON: I have not been able to obtain the information that would enable me to answer the question. I therefore hope that the hon. Member will repeat it.

POSTMASTER AT ABERAMAN.

MR. DAVID THOMAS (Merthyr Tydvil), who had on the Paper a question to ask the Postmaster General whether his attention has been drawn to the great inconvenience caused to the public at Aberaman by the delay in filling the office of postmaster there; if he will state the reason for the delay; and when an appointment will be made, said that since the question had been placed on the Paper the appointment to which it had referred had been made.

PAY OF THE METROPOLITAN POLICE.

MR. HOWARD VINCENT (Sheffield, Central): I beg to ask the Secretary of State for the Home Department if the details of the alterations as to pay and classes in the Metropolitan Police Force, appearing in the *Times* of 5th December, is accurate, and, in such case, why it is not proposed to extend to the officers of the Criminal Investigation Department the increased benefits accruing to the uniform branch, having regard especially to their skilfully performed and onerous duties, and their subjection to many expenses which are not recoverable; and if it is intended in any way to endeavour to meet the extra cost of lodgings in the inner divisions compared to the outer districts?

MR. MATTHEWS: I have not compared the statements which have appeared without authority in the Press with the scheme which I have recently sanctioned, and which in due course I have undertaken to lay on the Table of the House. The scheme applies to all constables alike, whether in the uniform force or in the Criminal Investigation Department. The pay of the higher officers of that Department is on a different footing from the rest of the force, and has been constantly revised up to quite recent dates, and the scheme does not apply to them. Every effort has been made to arrive at some satisfactory method of dealing with the lodging question separately, but no working arrangement has been found possible.

BIRMINGHAM POST OFFICE.

MR. SYDNEY BUXTON (Tower Hamlets, Poplar): I beg to ask the First Commissioner of Works whether his attention has been called to the fact that the plastering work of the new Birmingham Post Office has been sub-let to a man of the name of Welling; whether information had been submitted to the Office of Works of the very extensive system of adulteration of the materials used that has taken place; whether the Board of Works acknowledged by letter, dated 10th September, 1890, that the statements made in regard to the adulteration were substantially correct, and whether, in spite of this condemnation, Welling has been allowed to continue to work and to commence the front block; whether he is aware that the Clerk of the Works has given orders that no plasterer was to be employed on the job who had worked there previous to the complaint made of the adulteration of the materials; and whether he will inquire into the circumstances of the case?

*THE FIRST COMMISSIONER OF WORKS (Mr. PLUNKET, Dublin University): The plastering work at the new Birmingham Post Office was sub-let to Mr. Welling by the contractor, with the consent of the Board. In July last the attention of the Clerk of Works was called to the fact that the work in certain places, but by no means generally, was not being done in accordance with the specification, the cement being mixed with putty. The circumstances were fully investigated by the Board's Surveyor (the architect of the building), and he considered that it was not proved that Mr. Welling was aware of the adulteration. There is no doubt that there was a strong local feeling against Mr. Welling, and being unable to determine on what side the fault lay, the Board did not feel justified in inflicting on him the heavy loss that would have been entailed on him by the withdrawal of the work from him in the middle of his contract. The job, on the whole, has been very well done, and the defects referred to were promptly remedied by Mr. Welling. In view of the strong feeling that has been excited by the case, the Clerk of Works has objected to the continued employment of the men who were shown to have taken part in the adulteration, but not of others. The case has already been very fully investigated, and further inquiry seems unnecessary.

CASE OF CATHERINE HARDWICK.

MR. BRADLAUGH (Northampton): I beg to ask the Secretary of State for the Home Department whether he can now state his decision in the case of Catherine Hardwick?

MR. MATTHEWS: I have ascertained that the Magistrates are prepared in this case to give time for the payment of the fine, which has not yet been demanded, and will not be applied for till the girl is restored to health. I will take care that the girl is not subjected to imprisonment so long as she is unfit to bear it; but I do not propose, under these circumstances, to interfere further with the decision of the Magistrates.

THE EDUCATION CODE.

SIR RICHARD TEMPLE (Worcester, Evesham): I beg to ask the Vice President of the Committee of Council on Education whether, when revising the Code for the ensuing year, he will take into kind and favourable consideration the following points, in addition to the benefits conferred by the present Code, namely, the substitution of a single fixed grant to infant schools for the alternative grants of 9s. or 7s. and the variable grants for needlework and singing; the simplification of the grants under Article 101 by substituting one fixed grant for the principal grant of 14s. or 12s. and the various grants for discipline, needlework, singing, and class subjects; the modification of the existing distinction between "trained" and "untrained" teachers by substituting the term "independently trained" for "untrained" or by some other means?

SIR W. HART DYKE: My hon. Friend must be aware that I am always prepared to give a kindly consideration to any proposal which emanates from him, but he can hardly expect me, before the Code has been in operation three months, to undertake to introduce changes entirely eliminating the variable element from the grant at the risk of reducing all schools to one dead level of minimum efficiency. The modification asked for in the last part of the question has already been made, and the term "untrained" will no longer be found in the Code.

IRELAND—LOANS FOR DRAINAGE.

MR. J. F. X. O'BRIEN (Mayo, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he has received a copy of a Resolution from the Magistrates and cesspayers of the Costello barony, assembled at Presentment Sessions at Ballyhaunis, 25th November, 1890, requesting the Government to institute and grant loans for drainage and other works, and thus give employment to the labouring classes of the district, who are suffering owing to the failure of the potato crop; whether he has considered the matter of this Resolution; and what he proposes to do to prevent the awful consequences which must ensue if action to meet the emergency be not promptly taken?

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): The hon. Gentleman is probably aware that I indicated to a Committee of this House on Thursday last that the Government intend to offer loans for relief works. The Memorial referred to by the hon. Member has been received, and as, in all other cases, will be considered.

THE PROPOSED IRISH LIGHT RAILWAYS.

MR. PARKER SMITH (Lanark, Partick): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he will have the course of the proposed new railways marked upon a large scale map of Ireland and placed in the Tea Room?

MR. A. J. BALFOUR: I believe that the suggestion is a good one, and I will endeavour to carry it out.

RELIEF WORKS IN CLARE.

MR. COX (Clare, E.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he will state what works for the relief of distress he contemplates carrying out in County Clare?

MR. A. J. BALFOUR: I do not think that, pending the discussion which is to take place in the House, it would be desirable or convenient to make a statement. I have nothing to add to the statement which I made on Thursday last.

CLARE SLOB LANDS.

MR. COX: I beg to ask the Secretary to the Treasury if he can state in what size lots it is intended to offer for sale the Clare Slob Lands?

MR. JACKSON: I think it would be advisable to offer the Clare Slob Lands in one lot; and, if they are not sold, they can be put up in lots to suit purchasers.

PURCHASE OF LAND BILL.

MR. KEAY (Elgin and Nairn): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he will state what class or classes of money are to be paid into the Sinking Fund under the Purchase of Land and Congested Districts (Ireland) Bill; whether Her Majesty's Government have provided that this fund should perform the function of a Guarantee Fund to secure the re-payment of advances; if so, what means have they provided for the redemption of the land stock in the event of the failure of tenant purchasers to meet their yearly instalments; and whether he has as yet verified the statement that the re-lendings under Clause 6 (3) will result in an unsecured liability to the country of about £26,000,000?

MR. A. J. BALFOUR: The Sinking Fund consists of an annual sum at the rate of 1 per cent. on the nominal amount of the capital stock advanced. The Government have not provided that this fund should perform the function of a Guarantee Fund for securing the re-payment of advances. There is no ground to believe that the re-lendings under Clause 6 (3) will have the result indicated in the last paragraph.

MR. SHAW LEFEVRE (Bradford, Central): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he will lay upon the Table of the House a Return, in amplification of Return No. 134, based on the estimate that the original advance to be made under the Land Purchase Bill of £29,717,000 will be exhausted in 10 years by equal annual purchases of holdings, and showing what amount will be available in each year, under Clause 6, Sub-section (3), in respect of the Sinking Fund payments for re-lending, until the principal sum advanced in the first 10 years shall be paid off, and also showing what, in each year, will be the total amount of all the purchase annuities due to the Government, upon the assumption that fresh advances are yearly made to the full amount which has passed through the Sinking Fund?

MR. A. J. BALFOUR: The right hon. Gentleman will see the difficulty of answering a question of this kind, based on a hypothetical state of things. I hardly think that any good would result from the granting of such a Return.

MR. SHAW LEFEVRE: I will make some observations on the subject when the Bill comes on.

CASE OF MR. WALSH.

MR. T. M. HEALY (Longford, N.): I beg to ask the Attorney General for Ireland if he is aware that Mr. Walsh, of the *Cashel Sentinel*, was sentenced to three months' imprisonment for conspiracy at Tipperary, and arrested instantly on conviction; that several days before he had been (on appeal) sentenced to two months' imprisonment for the publication of a speech in his newspaper; but that the police held over the first warrant, commanding them to arrest him on the latter charge, in order to see what would be the result of the Tipperary prosecution; under what authority was this done; do the Government still hold over the warrant; under what Statute do the police exercise this suspensory power; and what officer is responsible?

*THE ATTORNEY GENERAL FOR IRELAND (Mr. MADDEN, Dublin University): I answered the question of the hon. and learned Member on Friday.

MR. T. M. HEALY: The question I have put now has not been answered. What I want to know is this: Will the Government state why the warrant against Mr. Walsh was held over and under what Statute it was not enforced? Where is there any suspensory power?

*MR. MADDEN: If the hon. and learned Gentleman desires a further explanation I must ask him to put a question on the Paper.

MR. T. M. HEALY: I think I am entitled to know who signed the warrant, and who is responsible for its execution.

*MR. MADDEN: The matter went back to the Magistrate who signed the warrant.

MR. T. M. HEALY: By what contrivance was it that the County Court Judge allowed three months to elapse? Mr. Walsh was already in gaol, and the effect was to secure that he should undergo three months' imprisonment before the first warrant was executed.

*MR. MADDEN: The matter rested entirely with the County Court Judge. I am informed that the warrant is now signed.

ELECTORS' REGISTRATION (ACCELERATION) BILL.

In answer to Mr. J. ROWLANDS (Finsbury, E.),

*MR. W. H. SMITH said: It is not intended to take the Second Reading of the Electors' Registration (Acceleration) Bill to-day, although it has been necessary to put it upon the Paper.

MR. T. M. HEALY : Will it be taken before Christmas?

*MR. W. H. SMITH ; No, Sir.

THE CHRISTMAS HOLIDAYS.

MR. W. H. SMITH : When the Land Department (Ireland) Bill has been read a second time and the House has gone into Committee upon it, the programme of business which the Government has asked the House to undertake in the ante-Christmas Session will be fulfilled, and it will then be my duty to move that the House do adjourn until Thursday, the 22nd of January. If the Bill is not got into Committee to-night I shall make the Motion to-morrow. It will be necessary for the House to meet to-morrow in order that the Royal Assent may be given to the Seed Potatoes Supply (Ireland) Bill and the Transfer of Railways (Ireland) Bill.

THE REFORMATORY AND INDUSTRIAL SCHOOLS BILL.

In answer to Sir U. KAY-SHUTTLEWORTH (Lancashire, Clitheroe),

MR. MATTHEWS said : The reception given to the Reformatory and Industrial School Bill last Session was not such as to give much encouragement to its re-introduction. I will consider during the Recess whether it will be worth while to re-introduce it this Session in the same form as last Session or with some modifications, so as to make it more acceptable to the right hon. Baronet and his friends.

CROWN PROSECUTORS IN IRELAND.

MR. MAC NEILL (Donegal, S.): I beg to ask the Chief Secretary whether it is the fact that Mr. Robert Olphert has been appointed by the Attorney General for Ireland to prosecute for the Crown on the North-West Circuit at the Winter Assize in Ireland, and whether that gentleman was a land agent, and was concerned on his father's estates in questions which arose between the landlord and his tenants?

*MR. MADDEN : I have appointed Mr. Olphert because he is an efficient and able member of the Bar, who will certainly do his duty. The statement that he is his father's agent is absolutely without foundation.

MR. MAC NEILL : It is strictly true.

MR. T. M. HEALY : How many years is it since Mr. Olphert was given a brief on behalf of the Crown or of anyone else?

*MR. MADDEN : I certainly shall not answer that question.

MR. MAC NEILL : Is it not a fact that Mr. Olphert does not attend the Four Courts Library?

*MR. MADDEN : No, Sir.

DISTRESS IN IRELAND.

MR. J. M'CARTHY : I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland a question of which I have been unable to give him notice, namely, whether, in view of the failure of the potato crop and the distress in Ireland, the provisions of the Land Act of 1887 enabling judicial rents to be reduced will be re-enacted with suitable modifications?

MR. A. J. BALFOUR : As the hon. Member is aware, the cases in which temporary modifications of judicial rents were obtained under the Land Act of 1887 depended upon, and were caused by, a fall in prices. I believe that, so far from the price of potatoes having fallen this year, it has risen, and the result of re-enacting these clauses, so far from operating in the way the hon. Member desires, would have the effect of raising the rents.

MR. T. M. HEALY : Will the right hon. Gentleman allow the Land Commission to revise the judicial rents, having regard to the yield of potatoes this year?

MR. A. J. BALFOUR : No; I am afraid it would be hopeless.

WEIGHING MACHINES.

MR. CAUSTON (Southwark, W.) : I beg to ask the First Lord of the Treasury whether there is any intention on the part of the Treasury to grant an extension of time for the stamping of weighing machines?

*MR. W. H. SMITH : The hon. Gentleman has not given me notice of the question.

MR. CAUSTON : May I take the opportunity of impressing on the Government, in the absence of the President of the Board of Trade, the importance of this matter?

*MR. W. H. SMITH : The hon. Member must give notice.

PURCHASE OF LAND AND CONGESTED DISTRICTS (IRELAND) [ADVANCES, &c.]

Committee to consider of authorising the payment of certain sums out of the Consolidated Fund and out of moneys to be provided by Parliament, for the purposes of any Act of the present Session relating to the purchase of land in Ireland, the Land Commission, and the improvement of the Congested Districts in Ireland (Queen's recommendation signified) to-morrow.

CHARITABLE ENDOWMENTS (DENBIGHSHIRE).

Return ordered—

"Comprising the Reports for the County of Denbigh of the 'Commissioners for inquiring concerning Charities 1818-37,' arranged separately for each parish in that county, and completed up to the 31st day of December, 1890, in the result of local inquiries, held by the Charity Commissioners in every parish wholly or partly within that county, into all Endowments known to be subject to the provisions of the Charitable Trusts Acts :"

"A Digest, in tabular form, of those Reports, showing, in the case of each such parish, whether any, and, if any, what Endowments subject to the Charitable Trusts Acts are recorded in the books of the Charity Commissioners in the Parish:"

"And, an Index, alphabetically arranged, of Names and Places mentioned in those Reports." —(*Mr. James William Lowther.*)

MOTIONS.

TRAMWAYS ORDER IN COUNCIL (IRELAND) (ATHENRY AND TUAM RAILWAY) BILL.

On Motion of Mr. Attorney General, Bill to confirm an Order in Council of the Lord Lieutenant and Privy Council in Ireland, relating to the Athenry and Tuam (Extension to Claremorris) Railway, ordered to be brought in by Mr. Attorney General for Ireland and Mr. Jackson.

Bill presented, and read first time. [Bill 157.]

Mr. T. M. HEALY: Is there any objection to the Bill being read a second time now?

*Mr. W. H. SMITH: As far as the Government are concerned, they are extremely anxious to pass the Bill without delay.

*Mr. MADDEN having gone to the Bill Office, on returning, said: There is no copy of the Bill in the House, and I must, therefore, postpone the further stages of the Bill until to-morrow.

Colonel NOLAN (Galway): Never mind the copy.

ORDERS OF THE DAY.

SEED POTATOES SUPPLY (IRELAND) BILL.—(No. 148.)

Bill, as amended, considered; read the third time, and passed.

LAND DEPARTMENT (IRELAND) BILL. (No. 112.)

SECOND READING.

Order for Second Reading read.

(4.15.) Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. A. J. Balfour.*)

Debate arising;

Mr. T. M. HEALY: I beg to move that the Debate be now adjourned. This is a most contemptuous way of treating the House.

Motion made, and Question proposed, "That the Debate be now adjourned."—(*Mr. T. M. Healy.*)

The CHIEF SECRETARY for IRELAND (Mr. A. J. Balfour, Manchester, E.): In what way is there contemptuous treatment? The hon. Member was not in the House when I introduced the Bill and explained the purport of it. It is substantially the very Bill that was read a second time in the course of the present year. I can assure the hon. Gentleman that in the course I have taken no discourtesy was intended to the House.

Mr. T. M. HEALY: I certainly think that I have some reason to complain of the remarkable manner in which the right hon. Gentleman has acted. The right hon. Gentleman seems to imagine that the way in which he obtained the Second Reading of the Land Bill without criticism was owing to the fact that the action of the Irish Party was entirely paralysed. I beg to assure him that he is absolutely mistaken on that point, and I can further assure him that a more thoroughly bad Bill has never been brought in by a thoroughly bad Administration. The Bill is a reversal of the policy of 1885.

MR. DEPUTY SPEAKER: Order, order! The hon. Gentleman cannot enter into a discussion of the merits of the Bill on a Motion for Adjournment. The hon. Member if he goes on will deprive himself of his right to speak on the Bill.

(4.17.) MR. T. M. HEALY: In that case I shall persist in my Motion for the Adjournment of the Debate. I would advise the Government, unless they want a series of these Motions, to take another course. The Bill is a reversal of the policy of the Act of 1885, and on that account I take exception to it. [*Cries of* "Order!"]

MR. DEPUTY SPEAKER: Order, order! The question is that the Debate be now adjourned.

(4.18.) MR. M. HEALY (Cork): I think it is rather hard that we should be asked to proceed with the Debate on the Bill until we have some information as to who are the persons to be charged with the administration of it. The working of the Bill will depend very much upon the person who is to administer it. Judge Litton is dead, and the vacancy has not yet been filled up.

MR. T. M. HEALY: As I understand an Amendment is to be moved to the Second Reading of the Bill I beg leave to withdraw the Motion.

Motion, by leave, withdrawn.

Original Question again proposed.

(4.20.) MR. M. HEALY: I beg to renew the application I have already made for information, and, to afford the Government an opportunity to give it, I beg to move that the Bill be read a second time on this day six months.

Amendment proposed, to leave out the word "now," and at the end of the question to add the words "upon this day six months."—(*Mr. M. Healy.*)

Question proposed, "That the word 'now' stand part of the Question."

(4.21.) MR. A. J. BALFOUR: I wish to ask Mr. Deputy Speaker whether, by replying to the small point raised by the hon. Member, I shall be precluded from addressing the House again if any serious objection is raised to the Bill?

MR. DEPUTY SPEAKER: I apprehend that the mere answering of a question is not joining in the Debate.

MR. A. J. BALFOUR: It cannot be denied that a very short time has elapsed since the death of the Chief Commissioner, and as there is no connection, direct or indirect, between the Bill and the appointments, I do not think that the Government ought to be called upon to state their choice upon the present occasion.

MR. T. M. HEALY: The Bill is a reversal of the policy of 1885, when the Ashbourne Act was passed. There was then a Treaty between the Tories and the Irish Members, the latter insisting upon a remarkable change in the original draft of the Bill. That draft proposed to create a Land Department, and to leave to the existing Land Commission the power and the duty of dealing with the question of purchase. At that time the Land Commission consisted of Mr. Justice O'Hagan, Mr. Litton, and Mr. Vernon, who were appointed by the right hon. Member for Mid Lothian (Mr. W. E. Gladstone) in 1881. All of those three gentlemen are since dead. The Irish Members objected then, as they do now, to any merging of the powers of the Land Commission with the powers of the Purchase Commission; and the Government communicated to them that if they moved an Amendment severing the two Departments, it would be accepted. This was done, and, so changed, the Bill passed. Therefore the present proposal of the Government is the renewal of a proposal which was formerly abandoned by themselves. The object of the Government in now seeking to merge the power of the two Commissions is to embarrass English Members, Irish Members, and the House generally. The splitting of the Bill into two is a trick intended to deceive the House. We objected in 1885 to the appointment of Mr. O'Hagan, Mr. Litton, and Mr. Vernon. In discussing the principle of land purchase, one of the main questions we have to consider is the *personnel* of the Commission who are to shovel coals to the Irish landlords. When the vacancies were filled up by the appointment of Mr. John George M'Carthy and Mr. Stanislaus Lynch no dissatisfaction was expressed; but some of their decisions have been complained of. The Government now intend to rig the Commission with a Tory *personnel*, and in their hands the £30,000,000 would not go a very long way. A momentous change is to be made in the payment of the salaries of the Land Commissioners. Under the Act of the right hon. Member for Mid Lothian the salaries were placed upon the Estimates, so that from year to year the policy of the Commissioners could be criticised, as it has been from both sides of the House; but now such criticism is to be evaded by placing the salaries on the Consolidated Fund. The policy of the Government in separating the Bill that deals with the money from that dealing with *personnel* is a policy of blind man's buff, and of throwing dust in the eyes of the House of Commons. The Government's land purchase scheme is as great a novelty in 1890 as was that of the right hon. Gentleman the Member for Mid Lothian in 1881. Why is it, I ask, that you are afraid to face criticism—an annual criticism of your own policy? If ever a case demanded close scrutiny, it is this policy of paying money out to Irish landlords. We are told, and I have no doubt I shall be told, that I was the very first to press that the appointments of the Land Commissioners should be permanent. Yes, I did press for permanent Commissioners, and I do so now, but I never asked that they should be sheltered from criticism. I hold it necessary that anyone dealing with the money of the people should hold permanent appointments, and I wish a similar policy were followed in regard to the Resident Magistrates. But the House will not allow the rental of a single landlord to be cut down one fraction except by three Sub-Commissioners, with a right of appeal, first, to the Head Commissioner, and then to the Court of Appeal. But you entrust the liberties of the people of Ireland to two Removable Magistrates, in most cases without appeal. I say that this Bill in every detail is intended to subserve the landlord's interest, and is framed accordingly. No doubt, in a matter which involves so much litigation the Government is justified in endeavouring to secure that it shall be dealt with in a single Court; but why stop at that point—with the question of rent reduction or of land purchase? Why do you not take away from the Common Law Judges all power over matters affecting the land, and leave every question connected with land, rent, rates, and evictions, to the Land Department; and why not, above all, give to the Land Department those powers of conciliation which the Government declared to be so useful, and which were embodied in Section 30 of the Act of 1887? That would be a natural policy. But you are not doing it; you are, instead, preparing a Court for some kind of jobs and jobbery. You are not going to deal with the agrarian situation in Ireland. This Bill is a piecemeal Bill, though it may, in the abstract, be considered as a proper measure of reform. I declare that the Bill, for the purpose of dealing with the question as a whole, is not only inefficient, but that it bears upon its face traces which entitle me to denounce it as flagrant jobbery. There are many matters in this Bill to which strong objection must be taken. Out of the six Commissioners any two may make a grant of money, while under the Bill of the right hon. Member for Mid Lothian two Commissioners out of three were required to act. We all know how at elections in former days it was a practice for a man whose face was unseen to bribe voters through a hole in the wall. Well, this Bill is a sort of hole-in-the-wall bribery for the Irish landlords. From previous experience we know what the characteristics of the Commissioners are likely to be, the present body of 70 or 80 Commissioners being composed almost exclusively of landlords and land agents; indeed, with the exception of the brother-in-law of the hon. Member for South Tyrone, everyone comes within that category. I suppose I may take it that the *Northern Whig* represents in the North of Ireland to some extent the Government, and has given it the information at the disposal of the Crown. Well, it is stated on the authority of that paper that the other day the Chief Secretary held a kind of competitive examination among the Commissioners with a view of sifting their qualifications to act under this Bill. Is that statement right or wrong? I challenge a reply. The right hon. Gentleman answers not; he remains in beatific repose, and so we must assume that to this already landlord-saturated body is to be added a further crop of landlord appointments under this Bill. To ask the House of Commons suddenly, without a word of explanation, to read this Bill a second time is little less than trifling with the House. Two of the Irish Bankruptcy Judges, whose salaries are never taken on the Estimates, receive £2,000 a year each, but under this Bill two gentlemen are to be appointed—bribed—at the rate of £3,500 a year, while the remaining four are each to have a salary of £500 a year more than these two Bankruptcy Judges. Perhaps I ought to say, looking at this matter from the point of view that the expenditure will take place in Dublin, "the more the merrier," because the more it costs English tyranny to govern Ireland the better I am pleased. But to pretend that a Bill of this sort, issued only this morning, can be read by a wave of the magician's hand—the hand of the Chief Secretary—and, although it is of such magnitude, is entitled to no consideration, is, I maintain, a most high-handed policy even for the Irish Secretary. The proposal contained in the 9th clause is a Brobdingnagian one, giving an appeal in the Land Department from two gentlemen who get £2,500 a year to one gentleman who gets £3,500, the only basis which I can conceive for the proposal being that the man who gets a bigger salary will give a bigger price. That is a proposal which the Government wish to pass into law without a solitary word of explanation. Their action in this business has been brazen throughout; and if the House of Commons is to be brought down in the fogs of November to discuss Bills of this kind without getting one word of explanation, it seems to me that the Government regard the House as a kind of mere registration machine—put a penny in the slot, and "hey, presto!" the House of Commons will give you £30,000,000! I can only say that I have always been personally in favour of a policy which will root the tenants of Ireland in the soil at a fair price, but that policy of purchase must never be allowed to degenerate into a policy of swindle. The Irish land is worth something, and we are willing to pay the price of the land, but not the landlords' price. I believe that there is yet sufficient spirit, even in the majority of this House, to resent the manner in which we have been treated by the Government in this matter.

*(4.42.) THE ATTORNEY GENERAL FOR IRELAND (Mr. MADDEN, Dublin University): I have listened to the speech of the hon. and learned Member in hopes of ascertaining what reason he alleges why this Bill should not be read a second time. The hon. and learned Member has addressed a great many questions and a great many complaints to the Government. He has complained that this Bill was not circulated until this morning. But, as was fully pointed out by my right hon. Friend when he obtained leave to introduce the Bill, it is identical in substance with the Bill which was read a second time during last Session. There are various maters of detail, such as the 9th section, which have been introduced into this Bill, but those are obviously matters for discussion in Committee. The hon. and learned Member wants to know who are to be Land Commissioners under this Bill. If the hon. and learned Member had read the first portion of the Bill attentively he would have seen that the First Commissioners are the existing Land Commission; therefore there is no foundation for the suggestion that the Government are withholding information as to the *personnel* of the Commission. The fact that there is a vacancy on the Land Commission, which we all regret, is not a reason why the Bill should not be read a second time. With regard to the more permanent tenure of office conferred on the Commissioners, there will still be an opportunity on the Votes of discussing the policy embodied in the Land Commission generally, and I think that the advantage of putting the Commissioners on a more permanent footing has been admitted by the hon. and learned Member himself. A regards the principle of this Bill, it carries out a policy which I think will recommend itself to every Member of this House. It has been recognised by all persons for a long time that extreme inconvenience and a great waste of power and of public money are caused in Ireland by the existence of a variety of Departments dealing with a subject-matter which can really conveniently be dealt with by one consolidated Department, namely, sale of land, and the valuation of land, whether for the

purpose of sale or of fixing a fair rent. These important functions are now divided between the Land Commission, the Land Judges' Court, who carry out sales in cases outside the immediate operation of the Land Purchase Act, and the Valuation Department. A very great waste of judicial power arises in this way, and the object of the Bill is to bring the work, judicial and non-judicial, within one single Land Department, whereby, in the opinion of the Government, it will be better done and the charges ultimately reduced. I think the fact that the Bill effects that object forms an ample reason why it should be read a second time. Of course, the questions raised by the hon. and learned Member will come up for discussion in Committee, and, for my own part, I will reserve any remarks upon these questions until then, with the exception of one point. The hon. and learned Member has called attention to an important addition to the Bill of last year, I mean Clause 9, under which, when the Land Department has sanctioned an advance under the Land Purchase Acts to a tenant who is purchasing his holding, it shall be lawful for any person interested in the purchase money other than the landlord to apply in the prescribed manner, and within the prescribed time, to a judicial Land Commission, who is to inquire into the sufficiency of the price agreed on and to refuse his sanction to the transaction if he is of opinion that the agreement for sale is not an undervalue. As hon. Members are aware, tenants for life possess very considerable powers for sale of the fee-simple of the land, but they may not be aware that it may be in the power of a landlord whose estate is so encumbered that he has no substantial interest in the purchase money to enter into a contract of sale with the tenants for something under the fair value of the land, thereby causing great loss to the encumbrancers. The clause in question is for the protection of encumbrancers and remaindermen against sales not an undervalue. So much for the first portion of the Bill. The second portion introduces various Amendments in detail, but it is in substance the same clauses as were contained in the Bill of last year. The whole Bill is, in substance, the Bill of last year, minus the clauses and provisions introduced in Bill No. 1, already read a first time, and I believe that the House will have no difficulty in affirming its general principles by reading it a second time.

*(5.3.) SIR GEORGE TREVELYAN (Glasgow, Bridgeton): I do not rise to make a long speech, but I wish to give the reasons which to my mind render it absolutely imperative that those who voted against the Second Reading of the principal Land Bill the other evening should vote against this Bill, and that many who did not vote on that occasion should vote on this occasion. The most essential part of the Bill is the consolidation of the Land Department and the salaries paid to the Land Commission. As a British taxpayer I denounce as an absolutely indefensible proposal the consolidation of the Land Department and the crystallisation and prolongation to absolutely unknown time of an extremely highly paid department. As the Bill stands there will be four Civil Administrative Commissioners, who will receive practically £3,000 a year each. They will get it in meal or malt; they will get a consolidated salary of £2,500 with a prospect of a pension which is very moderately stated at £500. There will be two Judicial Commissioners, who will receive £3,500, with the prospect of a pension which will be estimated very low at £1,000 a year. That is £12,000 a year for the Administrative Commissioners and £9,000 a year for the judicial, or £21,000 a year for the superior officers of a Department which carries out the administration of, perhaps, some £3,000,000 of public money per annum. Just imagine any public Department of any description on this side of St. George's Channel in which £21,000 a year is paid to the permanent officials who have to deal with only a sum of £3,000,000. If this Bill once passes, Parliament will have given its sanction to this

system of land purchase being one of the settled institutions of the country. It is not merely a question of £5,000,000 with which we had to deal on the last occasion that this question was brought before us. This Bill contemplates that the system shall go on while these gentlemen are getting old and getting superannuated, and while their successors are getting old and getting superannuated too. It is not for 10, or 20, or 50 years we are passing this Bill, but in all probability this system of land purchase in Ireland will continue for 70, 80, or 100 years. I object altogether to the proposed system of land purchase. I will not argue the point now, but simply direct attention to certain clauses in the Bill which render it absolutely imperative on anyone who is opposed to buying up the land of Ireland to vote against the Bill. Will hon. Members turn to Clause 21—the most important clause? We are told that this is a system of land purchase by the tenant. It is no such thing. In previous Bills the tenant was a part purchaser, but in this Bill it is a purchase of the landlord's property, not by the tenant, but by the State exclusively. It is a very common thing when an estate is purchased to leave a part of the money on mortgage; but now, for the first time, the Government ask the State to purchase landed property from certain landlords, and to leave not a part but the whole of the money on mortgage. If this proposal was made to a private English capitalist he would say, "The man who makes it must think me a fool," and yet that is the proposal the Government makes to the taxpayers of this country. In order to make some show of appearance that there is a proper guarantee for the repayment of the purchase money strong powers are put into the hands of the Commissioners, for the purpose of exacting the instalments, because the instalments are the only means by which the State is supposed to recover the money. Under Clause 21 the Commissioners are empowered, if the instalments are not paid, to sell up the tenant. If they cannot sell the farm they have power to work it themselves. The Commissioners are enabled to sell the farms, but, like a landlord's agent who tries to sell an evicted farm, they will not be able to sell. Irishmen will be no more desirous to buy the farm of a tenant evicted by the State than the farm of a tenant evicted by the landlord. That being the case, the Land Commissioners will be forced to enter into possession of the holdings, and to work them for the benefit of the State. The Chief Secretary argues that the Irish tenant who is evicted will say, "It is true I am evicted by the State, but I am evicted in the interest of my neighbours, the ratepayers; I am evicted in order to protect them from having the payments from the Exchequer confiscated." Does anybody who knows human nature, and especially Irish human nature, and the human nature of the Irish evicted tenant, believe that the evicted tenant will make such a nice distinction as this? Will he not say, "I am being turned out by Dublin Castle"? or will he not say, "I am being evicted by the British people on the other side of the Channel"? Under Clause 21 you will have this state of things, that, with rare exceptions, all the rent of Ireland, a country almost exclusively devoted to agriculture, will pass over the Channel to this country to be paid into the pockets of the British taxpayer, who will be the great absentee landlord of all Ireland. It is under this Clause 21 that the process of evicting the tenant who does not pay the rent will be carried out. As an economist and patriot I thought it right to declare that I apprehend that in future days the relations between the two countries will be greatly strained if all the rent of Ireland is sent over to England to be paid to the English taxpayer.

*(5.18.) MR. T. W. RUSSELL (Tyrone, S.): I always listen to the hon. and learned Member for Longford (Mr. T. M. Healy) on land questions with interest, but I think his absence from the House during the last fortnight has probably misled him in this matter. My difficulties on this occasion are not his. The Government have split the Bill into two, and I think Bill No. 2 is in great danger of not being carried, and the Government

do not much care whether it is carried or not. [MR. T. M. HEALY: We will smash it.] Well, in smashing it, the hon. and learned Member must remember he is also smashing the long leaseholders at the same time. A great many valuable provisions for the tenants have been left out of Bill No. 1, and now form part of Bill No. 2, and, as I said the other night, it is very possible that Bill No. 2 will be caught in the toils of the Assisted Education Bill. I hope the hon. and learned Member for Longford will look a little more closely into the Bill than he has done, according to his own admission. I sympathise greatly with one part of his speech, and that was the part in which he referred to the constitution of the Land Department and the way in which the Land Commission is being handled. In 1881, after the Bill of the right hon. Gentleman the Member for Mid Lothian was passed, there were three appointments made, and the public understood that the appointments were made on these lines: Mr. Vernon was fairly taken as the representative of the landlord interest; Mr. Litton, a lay Commissioner, although a lawyer, was chosen because he was the representative of the tenant farmers of Ulster; and there was a judicial Commissioner, Mr. Justice O'Hagan, who had no recommendation save that of high character. When Mr. Vernon died another landlords' representative was appointed, in the person of Mr. Wrench. I do not challenge the appointment. Then Mr. Justice O'Hagan died, and again I think the Government did right. Mr. Justice Litton was chosen to succeed him. But in Mr. Justice Litton's place was any representative of the tenants placed? I say no. Mr. Fitzgerald was Chairman of Quarter Sessions in County Westmeath——

MR. T. M. HEALY: Well, it is not a bad appointment.

*MR. T. W. RUSSELL: I think it is a bad appointment. At one time the dissatisfaction with this gentleman's decisions was very great.

MR. T. M. HEALY: May I explain that the appointment was a bad appointment in 1881, but he has since learnt a deal of sense, and has been behaving very sensibly.

*MR. T. W. RUSSELL: I say that in no way can it be said that Mr. Gerald Fitzgerald was a fit man to put in the place of the tenants' representative on the Commission. The hon. Member for Longford (Mr. T. M. Healy) has had a good deal of experience in the Land Court, and I am glad to hear him say that Mr. Gerald Fitzgerald has learnt a great deal. Well, here comes the pinch. There is on the Commission a landlords' representative in the place of Mr. Wrench, we have Mr. Gerald Fitzgerald in the place of Mr. Justice Litton, and I want to know who is to get the fresh appointment. Is he to be a Judge, is he to be a man who has human sympathy and who has a grasp of the land question, not only in its legal aspects, but in its broader and wider effects upon the people of Ireland? I say the people of Ulster are practically shut out from all influence upon this Commission now, and I would ask the Government, and I think I am justified in asking the Government, to look for a man who is not merely an able lawyer but who has some human sympathy in his breast and knows something about the land question. Although I agree with the hon. Member for Longford (Mr. T. M. Healy) in very little, I have always valued his opinion on these questions, and I would put this point to him. I do not think he exactly conveyed his meaning to the House when dealing with the question of salaries. There are five Land Commissioners. The new Bill proposes to add another, but not to add anything to the expenses of the country, because it simply contemplates the addition of the Land Judge who has his salary of £3,500 a year now. There is something to be said about these salaries not being put on the Estimates, but being charged to the Consolidated Fund. These are, however, matters which do not touch the principle of this Bill, as to the wisdom of creating a great Land Department to take the whole question in hand, and, inasmuch as the Government, rightly or wrongly, have introduced into the Bill a great many provisions to which the tenants of Ulster attach enormous importance, I shall vote for the Second Reading.

*(5.25.) MR. D. CRAWFORD (Lanark, N.E.): There is one aspect of this Bill on which I think a Member from this side of the St. George's Channel may venture to express an opinion—the economical aspect—and I cannot agree with the hon. Member who has just sat down in thinking that it does not affect the principle of the measure. This is a Bill creating machinery, and the economical aspect of that machinery strikes at the root of the whole matter. We have more than once in this House made attempts to call attention to the extravagant expenditure on the judiciary in Ireland, and we have always been met with the difficulty that the salaries of Judges are placed on the Consolidated Fund. This is an attempt on the part of the Government to add to the number of officials who are to be placed on the Consolidated Fund. The Government can only make such a proposal on the ground that these gentlemen are to be Judges—that they are to be an addition to the already overgrown judiciary. If they are to be Judges why not detail some of the existing Judges for the purpose of performing these duties? It is admitted that the Judges are too numerous, and it would be easy to carry out this suggestion. If it be said that these gentlemen are not to be Judges—and I apprehend that their duties are to be to a large extent administrative—why put them on the Consolidated Fund, and why pay them such excessively high salaries? It seems to me most desirable that when such a Department as this is to be reconstituted on a new basis—and I think there is a great deal to be said for amalgamating the duties of the two Departments which now exist—it is most desirable that the salaries should be put on the Estimates, especially when we hear criticisms from various quarters of the House respecting the way in which the Commissioners are supposed to represent different particular interests, whether of the landlords or of the tenants. With regard to the salaries, I am sure if this body were to be set up in any other part of the country but Ireland, where money is so lavishly spent on objects which are often believed to be questionable, whilst it might be admitted that there should be one high judicial officer at the head, salaries of £2,500 a year, with a pension, for subordinate officers would be regarded as absurdly extravagant.

(5.29.) MR. SHAW LEFEVRE (Bradford, Central): I entirely agree with everything that has been said by my right hon. Friend beside me, but there is a special point to which I desire to call attention of the Chief Secretary. I put a question on the Paper to-day with reference to the probable financial effect of the whole proposal, and I think the House does not understand how great is the magnitude of the operation that will take place under this Bill. I believe the House is under the impression that the amount will be limited to purchases to the amount of £30,000,000. I think that under the process of the Sinking Fund the amount that will be ultimately advanced will be much greater. I wish particularly to call the attention of the Chief Secretary to this point that he may see that I am right. As I understand, the amount of the Sinking Fund is £300,000 a year. You go on increasing the amount every year, and so far as I can make out at the end of the first 10 years the amount which can be re-invested or re-lent by the State will be £3,300,000, involving interest to the amount of £134,000 a year.

MR. DEPUTY SPEAKER: The right hon. Gentleman must address himself to the question of the Second Reading of the Bill, and not to the discussion of the clauses of another Bill.

MR. SHAW LEFEVRE: The money clauses involve the power of the Commissioners to evict those who do not pay; therefore, I apprehended I was fully entitled to enter on the question as to what ultimately would be the liability that the Commissioners to be appointed would be entitled to undertake. Cannot I go into that question at all? Under Clause 21 the liabilities on which the Commissioners to be appointed under the Bill will be entitled to insist, and to evict purchasers if they do not pay, will be infinitely larger than the House, I think, understands it to be—£30,000,000, and will be £40,000,000.

MR. DEPUTY SPEAKER: It would be irregular to discuss that.

MR. SHAW LEFEVRE: I wanted to show that the Guarantee Fund would not cover it, if you would allow me. But I will take some other opportunity.

(5.32.) MR. ATKINSON (Boston): I think I may congratulate the Government upon coming events which cast their shadows before. The right hon. Gentleman the Member for the Bridgeton Division (Sir G. Trevelyan) seems to have some anxiety that the British people will be bad landlords and will excite bad feeling among the tenants. But it seems to me rather strange that the right hon. Gentleman does not give the British people credit for the desire to engender good feeling with the Irish people. If they do become landlords as the result of this legislation and advancing this money, it is not likely they will be bad landlords or treat the tenants in the cruel way the right hon. Gentleman fears they will. Probably he has an idea that he and his friends will get into power very soon. But I think we shall see the Government hold their own through the next General Election, and so the right hon. Gentleman's fears will not be realised. Then the right hon. Gentleman made a point, as he thought, from a business-like view, when he said no man in his senses—nobody who was not a fool, I think he said—would allow anybody to borrow to the full amount of the estate he is buying. Well, I must confess, though I have had some 25 years' experience, I must be included under the category the right hon. Gentleman mentions. Last week I offered for sale a good estate, and it will be sold I anticipate in a short time, and I offered to allow the whole of the purchase money on the estate to remain at 4 per cent., and to give an undertaking that I will not call it in. This is a case in point. The right hon. Gentleman thinks it is foolish to allow the whole amount on the land. I say it is sense, for I know the value of the security, and I get 4 per cent. instead of 3¼ per cent. from the Bank of England, or 3 per cent. in Consols. I represent the British taxpayer as hon. and right hon. Gentlemen opposite and all of us do, and the British taxpayers I represent are dissatisfied at the manner in which they have been treated in relation to Irish affairs. It is true we have voted, and voted straight, but there has been so much talking from the other side, from the Parnellite Party and the Gladstonian Party—["Order, order!"]—well, from all the elements of the Liberal combination, that word had to be passed that, however anxious our constituents were, we were to sit still in order that those who were obstructing business by much talking might not prevent Bills being carried at all. So we passed a "self-denying ordinance." We said nothing, but we got our Bills, and the present pacific state of Ireland is the result of our "self-denying ordinance." The hon. Member for Longford (Mr. T. M. Healy) has declaimed against governing Ireland by tyranny, but my opinion is that tyranny has been exercised in favour of Ireland for the last four or five years. Ireland has been petted like a spoiled child, and other interests as far as possible have been thrust aside, though we could by our votes have swept away Home Rulers and so-called Liberals. Yet we remained quiet, and allowed our claims to remain in abeyance, our opinions to remain unexpressed. But the opinion of the British taxpayer is that too much of the time of Parliament has been given up to Irish affairs, and so you would all think if you were Representatives of English taxpayers. Judging by the relative importance of different parts of the kingdom, Ireland has had 10 times her fair share. It is not my intention to occupy more than five minutes, and I will only allude to an unfortunate remark from the hon. Member for Longford (Mr. T. M. Healy). It is dangerous, said he, to attempt to deceive the House Commons. Now, we could not but be reminded of a historical event of that kind on the part of the political leader of the hon. Gentleman himself, who admitted in the witness box that he did attempt to deceive the House of Commons, and succeeded in the attempt. It is remarkable that the hon. Gentleman should by his words remind us of that incident. Well, if you will continue to dilate at this length upon Irish affairs we shall pass no more self-denying ordinances. I shall express my opinions to the full extent, and if you will talk for an hour I will talk for an hour.

*(5.38.) MR. MAHONY (Meath, N.): Other occupations have not left me sufficient leisure to make myself acquainted with the details of this Bill.

An hon. MEMBER: It was not circulated until this morning.

MR. MAHONY: Anyhow, the fact remains, I have not mastered the Bill. But I know well how very important the question of the *personnel* of this Commission is, what important consequences may follow the appointment of this Land Department of persons whose names we do not as yet know. But apart from that there is one point to which I wish to direct attention. I see that by one of the clauses power is to be given to those interested in the purchase money the landlord is to receive to apply, not to the Land Commission as a whole, but to the Judicial Land Commissioner to intervene and stop the sale on the ground that the landlord will not receive sufficient value for the land. Now, if that power is given it also ought to be given to those who are interested on behalf of the tenant, and the amount to be paid by the tenant, and those persons are the taxpayers in Ireland, whom the Government propose to force against their will to give a guarantee. I say you cannot with any show of reason, if you give this power of intervention on behalf of the landlord, on the ground that the price is too low, you cannot with any consistency refuse a similar power to those who are interested in the tenant, to prevent the landlord from receiving too high a price.

(5.41.) MR. LEA (Londonderry, S.): I do not intend to prolong this discussion on the general merits of the Bill, but one point I want to impress upon the Chief Secretary for Ireland. My hon. Friend the Member for South Tyrone (Mr. T. W. Russell) has referred to the administration of the Bill, and I do wish the Chief Secretary would spend a little more time in looking after the administration of the Department. It is of no use our passing good Acts here unless they are afterwards properly administered. We have to regret the loss of Mr. Justice Litton, and from association with him I know the value of his services. His death is a great loss to the administration of the Land Act. I am sure the Land Act of 1881 would not have been worked so well without the administration of Mr. Justice Litton. We are extremely anxious to know who is to be his successor. I do not press the right hon. Gentleman on that point now, but this I will say, that if the Land Commission is to have the confidence of the people it must not have only landlord representatives upon it. My hon. Friend (Mr. T. W. Russell) has referred to this, and I wish the Chief Secretary would give us the satisfaction of his declaration that it is not desirable that the Department should be administered by the representatives of one Party. There is another side to this. There are four Commissioners now, and from what we hear we may expect there will be a fifth. All the present Commissioners come from the South of Ireland. Ulster is not represented at all, and there is a very sore feeling in the North of Ireland on the point, because, after all, in the fixing of fair rents Ulster has considerable interests, and it is considered very hard that Ulster has not a representative on the Commission. I do not know whether circumstances permit of the successor to Mr. Justice Litton being found in the North, but I may suggest to the right hon. Gentleman another way. There has been a good deal of delay in hearing appeals, and much has been said of the salaries of the Commissioners, and I would suggest to the right hon. Gentleman that if he reduced by £500 the salaries proposed by the Bill, and appointed a new Commissioner, then he might remove the block in the Appeal Court and enable all appeal cases to be heard quickly. I do not know what possibility there is of appointing a Commissioner from Ulster, but I do think that Ulster has a fair claim to be represented.

(5.44.) MR. J. SEYMOUR KEAY (Elgin and Nairn): What I desire to say has reference to a point of order, and the ruling from the Chair. The Bill was only circulated this morning. I desire to point to line 3 on page 15; and, Sir, if your ruling will allow me to proceed, I am prepared to show that the direction in the Bill there, namely, that the instalments not paid by defaulters should continue to be charged on, and paid out of the Guarantee Fund is a financial impossibility, for the Guarantee Fund will be bankrupt on the very first re-lending taking place. I would like, if I may, to ask the House to listen to a recital of the manner in which this Guarantee Fund will become bankrupt on the first occasion of re-lending, and which will make it impossible for the direction in this third line I have mentioned to be fulfilled——

MR. DEPUTY SPEAKER: The hon. Member must reserve such questions of detail until in Committee the point is reached.

MR. J. SEYMOUR KEAY: I bow to your ruling, Sir, but I am prepared to show how financial stability is impossible under this provision.

(5.46.) MR. F. S. STEVENSON (Suffolk, Eye): The answer of the Attorney General for Ireland is not altogether satisfactory. In replying to the argument that the salaries of the Commissioners should be placed upon the Estimates, he said the functions of the Commissioners were of a judicial character, and for this reason it was not desirable that their salaries should appear on the Estimates. But surely a main portion of their work is of an administrative more than of a judicial character? If the argument of the Attorney General for Ireland holds good, how comes it that the salaries of County Court Judges are annually provided by Parliament? Upon this item in the Estimates it is possible to raise debate, although these County Court Judges fulfil functions of a purely judicial character. I strongly object to administrative duties of the character of those to be conferred by this Bill, and which have been conferred on the Commissioners, being placed outside the pale of Parliamentary criticism. It is not a sufficient answer to say that there are certain expenses we can criticise, for previous experience connected with Irish Judges shows us that the opportunity for Parliamentary criticism is in such a manner altogether impossible, and so it will be impossible to criticise in a sufficient manner the conduct of the Land Commissioners under this measure. I have not sufficient knowledge as to the point raised by the hon. Member for Longford (Mr. T. M. Healy) as to Clause 9. But Clause 9 involves a principle which seems to be at the root of the whole Bill, and upon which the whole superstructure of the measure is based, for under that clause it is possible for the Commissioners to intervene and prevent the sale of any land on representation from the mortgagee, or remainderman, or person for whose benefit the estate is encumbered, that the sale has taken place under what they are pleased to call the value of the land. Why is this allowed? It seems to point to the fact that this measure, like the previous measure, to which a Second Reading has been given, is to enable Irish landlords to dispose of unsaleable land at a price above the market value, above what purchasers would be willing to pay in the open market—to enable such sales to take place to the benefit of the landlords, and to the detriment of the interest of the tenants.

(5.50.) MR. SINCLAIR (Falkirk, &c.): Before the Chief Secretary replies there is just one question I should like to put to the right hon. Gentleman in reference to the operation of Clause 9. It will be seen that the clause, which has not hitherto been referred to, deals with the guarantee deposit and its amount, which may be reduced to a tenant, or, indeed, altogether abrogated under certain circumstances. I think, perhaps, I might better explain by a concrete instance. I assume the case of a holding of £600 value. If the amount to be advanced is only £450, or three-fourths of the value, then no guarantee deposit will be required, but, assuming that a larger sum than three-fourths is advanced, it would seem the guarantee is only reduced. Assuming that a sum of £500 is required to purchase a landlord's interest in a holding, 20 per cent guarantee deposit is required; that is to say on £500 it would be £100. I should be glad to have this explained. Are we to understand that this would be reduced to £50, which would be the difference between the £500 and the £450 advance, which also is three-fourths of the whole? It seems to me some verbal amendment will be required in the clause. I may refer for a moment to some of the remarks made by the right hon. Gentleman the Member for the Bridgeton Division (Sir G. Trevelyan), who seems again to have fallen into the mistake of considering that the repayments that are to be made by the occupying tenants by instalments are to be looked upon as rent, and therefore the British taxpayer becomes a great absentee landlord. I think that fallacy underlies a great deal of the misconception in the view taken by opponents of the measure as to the dangers that may arise. The British taxpayer will not be a landlord. He will be in the position of a mortgagee, who holds good security and receives repayment of the amount advanced in annual sums of principal and interest. I have more than once put this view before the House, but it seems almost impossible to get it impressed on the minds of the right hon. Gentlemen on the Front Opposition Bench.

*(5.55.) MR. M. KENNY (Tyrone, Mid): Naturally anxiety exists as to the Commissioner who will succeed Mr. Justice Litton, as the usual difficulty is sure to arise in the working of the Act in view of the fact that certain Commissioners have no legal qualifications at all and yet will deal with purely legal and technical affairs. The Attorney General for Ireland is a high authority, and I suppose nobody knows more about the working of the Encumbered Estates Act, and how necessary it is that questions of a legal character should be disposed of by a lawyer of experience. If hon. Members will look at Clauses 4 and 5 they will see how jurisdiction under the Common Law in Ireland is transferred to the new Commissioners. The administration of important questions under the Judicature Act of 1877 is transferred to gentlemen who, perhaps, never read the Act. Now, the Irish Bar met some time ago and arrived at a series of resolutions which, as they were published in the newspapers, and especially in the *Irish Law Times*, doubtless were brought under the notice of the Attorney General for Ireland. In the first place, the members of the Bar pointed out that the duties to be performed by non-legal persons were such as non-legal men could not discharge; questions affecting

settlements, incumbrances, conditions of trust, and a number of points I need not go into. They then go on to suggest a way out of the difficulty, that the services of some of the existing Judges of the Common Law Division should be utilised in dealing with purely legal affairs. I believe there will be no difficulty in obtaining Judges from the Common Law Division who have sufficient spare time on their hands to discharge such duties as they arise. Questions of a purely administrative character may be left to the non-legal Commissioners; and two Common Law Judges might be selected by rota, or in any other way suggesting itself to the approval of the Judges, to deal with legal questions. Again, under Clause 9 there is a most distinct violation of principle. It deals with the value of land. This is not a technical question at all; but, nevertheless, is withheld from the lay Commissioners, who have no power to assist in giving a final decision on these points. Under certain circumstances appeals are given to the Court of Appeal in Ireland, but under Clause 9 there is no appeal from the legal Commissioners, who, by the way, are deprived of the assistance of assessors or lay Commissioners. There is a further defect in Clause 9, either in withdrawing jurisdiction from the lay Commissioners or in not allowing an appeal to the Court of Appeal in Ireland. I put these objections before the right hon. Gentleman. I do not profess to speak as the mouthpiece of the Irish Bar, but I am speaking on subjects as to which declarations have been made by the Irish Bar; and I trust that in doing so I am not misrepresenting the views of my professional brethren.

(6.2.) MR. A. J. BALFOUR: I will endeavour to touch on all the points which have been raised in the course of the Debate, and I will begin with the observations of the hon. and learned Gentleman who has just sat down. He has very accurately represented the views of the Irish Bar and the Irish Judges. If the hon. Member will look at Clause 8, Sub-section 2, which is new in this Bill, and is also in Bill 1, he will see that the Government have endeavoured to meet the views of the Irish Bar, and to introduce judicial strength into the Land Commission from the general number of the Irish Bench. From the observations that some hon. Members have made upon Clause 9, they seem to think that this is an attempt made on the part of the Government to construct machinery for the artificial raising of the price of land in Ireland. I need not say to anyone who has read the clause attentively that there was no such object in the mind of the framer, and that the Government had no such view. The sole object we had in view was this: It may happen—not often, but it may happen—that a landlord has no practical or substantial interest in the land of which he is the legal owner; and it may happen that under such circumstances he will find it to be his interest to part with the land to his tenant at a price far lower than the tenant will be ready to give, and far lower than the fair price of that land. In such circumstance, who will be the person to suffer by the transaction? Not the landlord but the mortgagee, and under this Bill, as stated last year, he has no voice in the sale at all. Everyone, I think, will admit that it is only fair to give the man the chance of having his case heard by appeal to some judicial tribunal; but whether the machinery provided by the Government for this purpose is the best that could be adopted will be for the Committee to decide rather than the House itself. No doubt there is something to be said for the suggestion of the hon. and learned Gentleman who last addressed the House, that there should, under certain circumstances, be an appeal to more than one Judge. That it seems only right to give the mortgagee an appeal under the circumstances I have pointed out is a proposition no one will deny. The object of Section 17, which was also in last year's Bill, is that in case the price, or a considerable portion of the price, is found by the tenant from other sources than public loans, and in case, therefore, the amount advanced for the holding is considerably less than the value, the Land Commissioners will be empowered to dispense with the Guarantee Fund. That will throw no additional risk on the State, and it will facilitate sales in some few cases. The greater part of the speech of the right hon. Gentleman the Member for the Bridgeton Division (Sir G. Trevelyan) was directed rather to the Bill which has already been read a second time than to this now before the House. His main objection to the Bill, however, was applicable to both Bills, and it was founded on this proposition : that as soon as purchase has gone on to a considerable extent the English Government will become the landlord of the Irish tenant, that they will have to evict and sell the holdings in case of non-payment, and that they will be as unable to sell the lands of evicted tenants as are certain landlords in such cases now in Ireland. The right hon. Gentleman made some very gloomy vaticinations on this point, but I think there is abundance of evidence which may reassure him. I have glanced at the Report of the Land Commission, and find that of 13,000 cases of holdings sold, the actual number in the possession of the Commission which they have been unable to dispose of is only three. I do not think the British taxpayer need tremble if only three holdings are unsold of 13,000. The hon. Members for South Tyrone and Derry and one or two other Members below the Gangway have made some remarks about the *personnel* of the Land Commission. It is true that there is a vacancy, but it is not a fair question to ask me now who is to fill it. I can only say that the matter will receive careful consideration from the Government, but it is obvious at all events that, from the nature of the functions to be discharged, it is absolutely necessary that a man of high legal standing should be appointed. The hon. Member for South Tyrone asked why one of the existing Judges of the Supreme Court should not be appointed. I should be extremely glad if one of the Judges of the Supreme Court would accept the position, but the hon. Gentleman must be well aware that the position is one which is not coveted by Judges of the Supreme Court. Though the salary may be higher the duties are certainly more disagreeable, and I fear there is little chance of inducing a Judge of the High Court to exchange voluntarily. Such an exchange could only be made voluntarily; there is no power to compel it, and I do not think there ought to be. The hon. Member also criticised the appointment of Mr. Fitzgerald as a landlord appointment. I cannot understand upon what that objection is founded, for Mr. Fitzgerald is neither a Conservative in politics nor a landlord. Mr. Justice Litton was a landlord, but is it possible for anybody to suggest for a moment that that fact ever warped or unfairly influenced his decisions, or made him more a landlord's man than a tenant's man? I am perfectly certain that every one who has had an opportunity of watching the manner in which Mr. Fitzgerald discharges his duties will not agree with the criticism of my hon. Friend as to that appointment, but will rather regard the appointment as a very successful effort by the Government to discharge one of the most disagreeable and onerous parts of their functions. It has been asked why we propose to put the salaries on the Consolidated Fund, and the hon. Member for Longford and one or two Members above the Gangway have accepted the principle that while the Judges hold permanent office their salaries should be voted by Parliament. It is perfectly true that with the Bankruptcy Judges permanent tenure is combined with salary voted by Parliament, but I cannot but believe that that was an oversight in the drafting of the Bill. I believe this course is absolutely anomalous; there is not a single case in England of a similar kind, and I believe that as a general rule it is more honoured in the breach than in the observance. There is a radical inconsistency between subjecting Judges to criticism in this House, and yet putting them in a position from which the House cannot oust them, and the arrangement to give a permanent appointment and leave the salary to be voted by Parliament is one which this House has not accepted in the past, and will not, I think, accept in the future. One hon. Member has referred to the case of County Court Judges in England, but I am not familiar with the tenure of those Judges, who, I believe, are appointed by the Lord Chancellor. If that is so, the arrangement is fundamentally different from that for the payment of the salaries of the Irish Judges. They cannot be dismissed, and the arrangements for their salaries are entirely in accordance with the arrangements of this Bill; their salaries are charged on the Consolidated Fund. The point which has received most criticism and attention is the question of economy. One of the most frequent complaints made in the course of the Debate was that an additional charge is thrown on the English taxpayer by the new arrangement. I can assure the House that not only is that not the fact, but it is directly the reverse of the fact. This is a Bill calculated to produce great economy. It is true that two salaries are raised thereby—the salaries of Mr. Lynch and Mr. M'Carthy. It is true that those gentlemen now get £2,000 a year, and that they will get £2,500 after the Bill passes, and a pension. But it seems to me to be an invidious and inexpedient course to make a homogeneous Land Department of this kind, and leave an inequality of salary between the Commissioners of 1881 and the Commissioners of 1885; and for that reason I would strongly advise the House to accede to an increase of salary in the case of those two gentlemen. But in the case of the other members of the Land Commission, their salaries will in the future be what they are now. I ask the House whether it will be prepared in constituting a new Land Department, having thrown upon it duties of a very onerous kind not contemplated by previous legislation, to take this opportunity of diminishing the salaries of gentlemen who have, after all, done their duties to the satisfaction of the public. If, however, we look to the future, the economy which this Bill proposes to effect is a large and substantial economy. At present the land work of Ireland is carried out by a Judge of the Landed Estates Court with a salary of £3,500 a year, by a Judicial Commissioner with £3,500 a year, by two Lay Commissioners with £3,000 a year, by two Purchase Commissioners with £2,000 a year, and by a Valuation Commissioner with £1,200 a year. The total cost is somewhere over £19,000 a year. But as vacancies occur that cost will be reduced until it comes to about £8,500—in other words, the cost of administering land in Ireland will be diminished by more than £10,000 a year. Now, I think that, under these circumstances, whatever other criticisms may be brought against the Bill, and they have not appeared to me to be of a very satisfactory character, at all events the criticism of extravagance cannot be brought against it. It is a Bill that, among its other merits, certainly has this, that the charge now thrown on the British taxpayer for the purpose of administering Irish land will be largely and permanently reduced. I think I have now dealt with every single point raised.

MR. KEAY: Will the right hon. Gentleman defend the Guarantee Fund against the charge of rottenness?

MR. A. J. BALFOUR: Well, the hon. Gentleman was ruled out of order when he raised that point, and as I do not wish to draw down upon myself a similar rebuke from the Chair, I think I must defer till a more convenient time the discussion of that question.

(6.21.) COLONEL NOLAN (Galway, N.): The question how you deal with these officers in Dublin, and whether you chop them about, and give one man a little more and another a little less, is of very little importance to the taxpayers, and of very little interest to my constituents. There is one point, however, on which I wish for some explanation because it may become one of some importance after the Christmas Recess. The clause which relates to turbary is one in which the keenest interest will be excited amongst the small tenants who may purchase in the West of Ireland. The clause regulates the manner in which turbary is to be purchased, and the way in which it is to be divided among the tenants. Now, that being the case with turbary, why should it not be the case with grass lands also? I want to see the poor tenant in the West of Ireland put into a position in which he can purchase grass farms near his holdings. If there were a similar section to the turbary clause relating to grass land and grass farms in reference to tenants holding not more than 10 or 15 acres of land it would probably satisfy all the wishes of the small tenants in the West of Ireland. It is very important that we should get an answer to this question before the Recess. I am glad that these two Bills have been put in before the Christmas Recess, because we shall have ample time to consider them and to draft Amendments to them. I wish, however, to know from the Government upon which Bill a clause regulating the purchase of grass lands could properly be brought forward? The question is one of enormous importance, because another 500,000 of Irishmen must go out from the West and South of Ireland unless their holdings are increased, and I have no hesitation in saying that the landlords' position would be improved by selling their grass land to these poor tenants.

(5.27.) MR. MADDEN: It is only by the indulgence of the House that I can reply to the question. I do not think that such an Amendment as the hon. and gallant Gentleman suggests could be properly introduced upon the Land Purchase Bill. The measure now before the House deals with a Land Department, and amends in certain particulars the existing machinery under the Ashbourne Act. The provisions with respect to turbary naturally fall within the scope of this Bill. It would be quite in order for the hon. Member to propose to introduce provisions of the kind he mentions into the measure now before the House, and any Amendments of that kind would meet with the most attentive consideration of the Government.

(5.28.) MR. CUNINGHAME GRAHAM (Lanark, N.W.): I know the opinions I shall advance are shared by so small a number of Members that to dwell on them at any length would be something like an impertinence. I know my opinions are unpopular, but that will not prevent me expressing them, because they are held by many outside this House who wish their views to be made known on this question of pledging the credit of the British taxpayer in reference to Irish land. The object of the Bill, as I understand it, is to create a peasant proprietary in Ireland. I do not pretend to have any special knowledge of Ireland, or to have any knowledge of Ireland at all, but I suppose there is no special set of circumstances to be observed in Ireland which is not to be found in other countries. This is an attempt to induce the Legislature to introduce a similar state of things into Ireland to that which——

MR. DEPUTY SPEAKER: The hon. Member's argument belongs to a Bill which has already been read a second time.

MR. CUNINGHAME GRAHAM: In that case I will bow to your decision, I merely enter a formal protest against creating a peasant proprietary in Ireland on conditions which are to be terminated in 49 years. I would continue in perpetuity the land of Ireland to the Irish people. I regret that I have not an opportunity of dealing with the absolutely rotten character of the guarantee on which the Bill is founded. As, however, I appear to be out of order all round, I shall conclude by saying that we have had many protestations from leading Members of the Opposition, both in outside speeches and in debating speeches, that their intention is not to allow the credit of the British taxpayer to be pledged on questions like this, and that they will fight this Bill on every occasion, in order that through their agency it may be left to the Irish people to settle their own land question, instead of forcing it upon the English House of Commons.

*(6.33.) MR. CHANNING (Northampton, E.): Sir, the Chief Secretary, in replying to comments made on the 9th clause, admitted that in the Bill of last year Her Majesty's Government did not introduce provisions which gave the same protection to the encumbrancer and mortgagees as they have seen fit to put into this Bill. I think that is a very extraordinary admission. I really think the Chief Secretary ought to throw some light on the omission of those provisions in the Bill of last Session.

MR. MADDEN: There were provisions introduced into the last Bill, though those in the present Bill give another kind of protection to the encumbrancer.

*Mr. CHANNING: They were not anything like the provisions introduced into this Bill. The 9th clause, in fact, places very nearly a compulsory power in the hands of the mortgagees to exact from the Land Commission that the price of the land shall not fall below the value at which the land has been mortgaged. Hon. Members are aware that there are mortgages on most of the land of Ireland, and where the mortgages are the heaviest on the holdings obstacles will be placed to purchase under this clause. Her Majesty's Government have in this clause created a new leverage for artificially raising the price of land to be sold under their land purchase proposals. They have not seen fit to introduce provisions such as the right hon. Gentleman (Mr. Gladstone) introduced into his Bill in 1886, giving the Land Commission means of seeing, in the interests of the tenants, and in the interests of the taxpayers of England, that the purchase price was fair and reasonable. The hon. and gallant Gentleman the Member for Galway referred to a most important question, namely, the power to buy grass land in neighbouring districts to facilitate migration from congested districts. That is a point which I hope will meet with the consideration of Her Majesty's Government. The hon. Member for South Tyrone complained of our opposition to this Bill, because we would risk the valuable clauses relating to turbary, and the 29th clause, which gives power in the case of long leases to come within the Land Purchase Bill. I would remind him and other hon. Members that we are placing no obstacle in the way of these particular proposals, which might be introduced into the first Bill in the form of Amendments. Referring once more to this question of mortgages, Her Majesty's Government are losing a great opportunity of dealing with the question of their revision. The whole of the question of land purchase hinges upon the point of what is the real value of the land. The mortgages on the land stand in the way of a fair price for it, and constitute an obstacle to land purchase in Ireland. I for one, as a hearty opponent of the principle of land purchase, record my vote against the Second Reading.

Mr. LABOUCHERE (Northampton): Mr. Deputy Speaker, the Attorney General for Ireland started an extraordinary doctrine just now. He said the principle of this Bill was accepted last Session, that we were not to oppose it, but were to agree to it without having had the time to read it. I opposed the Bill last Session, I shall oppose it this Session, and I hope I shall have the opportunity of opposing it next Session; if I may judge of what occurred last Session, very possibly I shall. I will vote against this Bill for the very excellent reason that it is the complement of the first Bill. I object to the whole system of land purchase on an Imperial guarantee. This Bill would not have been brought in but for the other Bill, of which the Attorney General will not deny that it is an integral portion. Under these circumstances I intend to vote against every clause, if I get a chance, both of this Bill and the other.

(6.41.) Mr. CONYBEARE (Cornwall, Camborne): Sir, I only wish to advance one reason why I will vote against every clause, letter, and syllable, of this Bill. Our contention is that the tenants will be compelled to pay far more than the value of the land in purchasing their holdings. They will be compelled to purchase their own interest in their own improvements at a long price. It is probable that a great portion of the land will be made utterly unmarketable in the open market, by reason of the fictitious prices created through the machinery of this measure. And this is the reason: So long as the *régime* of coercion exists, the tenants will be prevented from combining in protection of their own interests. So long as coercion is rampant in Ireland no attempt should be made to compel the tenants to purchase their holdings at the risk of the British taxpayer. Coercion, directly or indirectly, is employed for the purpose of compelling the tenants to pay artificial prices for their holdings. It is perfectly well-known that the Ponsonby tenants had an opportunity of very nearly coming to an arrangement with the landlord to obtain their holdings, when Smith-Barry and his syndicate intervened with the whole machinery of coercion, in order to defeat the tenants and compel them to pay the enormously advanced prices which Smith-Barry and his syndicate chose to impose upon them. Therefore it is, Mr. Deputy Speaker, that I regard with the utmost aversion the whole of this scheme, and I will do whatever I possibly can to defeat it. I feel that so long as the *régime* of coercion is continued by this Government in Ireland, we ought to resist every attempt which is made to compel the tenants to purchase their holdings.

(6.45.) The House divided:—Ayes 191; Noes 129.—(Div. List, No. 11.)

Main Question put, and agreed to.

Bill read a second time, and committed for to-morrow.

MESSAGE FROM THE LORDS.

That they have agreed to Transfer of Railways (Ireland) Bill, with Amendments.

TRANSFER OF RAILWAYS (IRELAND) BILL.—(No. 113.)

Order read for consideration of Lords Amendments.

MR. T. M. HEALY (Longford, N.): As a point of Order, Mr. Deputy Speaker, may I ask, have the Orders of the Day been gone through?

MR. DEPUTY SPEAKER: They have not.

MR. T. M. HEALY: Then I submit to you, Sir, that if it is open to the Government to interpose a Bill, and consider it at any time, it is equally open to any private Member to interrupt the Orders of the Day.

MR. DEPUTY SPEAKER: This is a Bill that has been sent up from the other House with an Amendment. The question is that the House do agree with the said Amendment.

Mr. Conybeare

MR. J. MORLEY (Newcastle-upon-Tyne): Perhaps some Member of the Government will state for the information of the House what is the exact scope of the Amendment which has been made to the Bill?

THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.): This Amendment has been made under these circumstances. A certain meeting of the shareholders of the existing Railway Companies coming under the operation of this Bill has to be called after the Bill comes into force; but it has been found that one of the companies has a special Act of its own, which requires a meeting to be called at an earlier date, and the Amendment has been inserted to remedy this.

MR. T. M. HEALY: What is the name of that company?

MR. JACKSON: The Great Southern and Western.

Lords Amendments considered, and agreed to.

BUSINESS OF THE HOUSE.

*(7.3.) THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): As the Government are not prepared to proceed with the consideration of private Members' Bills at this stage of the Session, it is my duty to move the adjournment of the House at once; but before I do so I would appeal to the hon. Members who have Bills on the Paper to postpone them until after Christmas.

MR. J. MORLEY: What will be the business when the House re-assembles?

*MR. W. H. SMITH: On Thursday, January 22nd, it is proposed to take, first, the Private Bill Procedure (Scotland) Bill, to be followed by the Tithe Bill, and to go on with the Tithe Bill on the Thursday and on the Monday following.

House adjourned at five minutes after Seven o'clock.

by Contract with H.M.'s Government. An Asterisk at the commencement of a Speech indicates revision by the Member.

HOUSE OF LORDS,

Tuesday, 9th December, 1890.

SEED POTATOES SUPPLY (IRELAND) BILL.

Read 2ª (according to order): Then Standing Orders Nos. XXXIX. and XLV. considered (according to order), and dispensed with; Committee negatived: Bill read 3ª, and passed.

HARES PRESERVATION BILL [H.L.] (No. 4.)

ARCHDEACONRY OF CORNWALL BILL [H.L.]—(No. 8.)

Read 3ª (according to order), and passed, and sent to the Commons.

TRANSFER OF RAILWAYS (IRELAND) BILL.—(No. 15.)

Returned from the Commons with the Amendments agreed to.

COMMISSION.

The following Bills received the Royal Assent:—

1. Transfer of Railways (Ireland),
2. Seed Potatoes Supply (Ireland).

House adjourned at ten minutes past Four o'clock, to Monday next, Eleven o'clock.

HOUSE OF COMMONS,

Tuesday, 9th December, 1890.

MR. SPEAKER'S CONTINUED ABSENCE.

The House being met, the Clerk at the Table informed the House that Mr. Speaker was again unavoidably prevented from taking the Chair of the House this day.

Whereupon Mr. Courtney, the Chairman of Ways and Means, proceeded to the Table; and, after Prayers, took the Chair as Deputy Speaker, pursuant to the Standing Order.

QUESTIONS.

NATURAL HISTORY MUSEUM—ELECTRIC LIGHTING.

SIR GEORGE CAMPBELL (Kirkcaldy, &c.): I beg to ask the Secretary to the Treasury whether, considering that the public are now deprived of the use of the Great Natural History Museum, not only in the afternoons and evenings, but also on foggy winter days, and that the facilities of lighting are now such that the Museum has already been temporarily lighted by electricity for societies meeting there, the Treasury will again consider the advisability of providing funds to light the Museum?

THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.): Temporary arrangements for electric lighting have occasionally been made by societies who have been allowed the use of the Natural History Museum, but until further experience has been obtained of the effect of evening opening at the British Museum it is not proposed to take up the question of making a permanent installation for electric light at the Natural History Museum.

SIR G. CAMPBELL: I wish to know whether the Government, in considering this matter, have had regard to the fact that the British Museum is an institution of an unpopular character, whereas the South Kensington Museum is one of an extremely popular kind; and whether, therefore, some opportunity should not be given of seeing the latter in the evening?

MR. JACKSON: I do not think the hon. Member's description of the British Museum accords with the description given in the House when the Government were pledged to introduce the electric light into the Museum, and I may add that the experience there is not extremely satisfactory—[Sir G. CAMPBELL: "Hear, hear!"]—because evening attendance, which in February averaged 635, fell in March to 367, and has continued to fall since, until in November it was only 145.

THE CITY PAROCHIAL CHARITIES.

SIR ROBERT FOWLER (London): I beg to ask the Vice President of the

Committee of Council on Education whether, inasmuch as in respect of applications to be heard on objections against the Central Scheme framed under "The City of London Parochial Charities Act, 1883," the Education Department, in April last,

> "Decided to approve the scheme without further delay, so as to allow time for its consideration by Parliament,"

and that the Education Department approved the scheme and laid it upon the Table of the House on the 2nd December, without hearing any objectors and without publication, and having regard to the fact that on the 31st January it will only require the Royal Assent to become law, the Government will undertake to give any, and what, opportunity for its consideration by Parliament?

THE VICE PRESIDENT OF THE COUNCIL (Sir W. HART DYKE, Kent, Dartford): My hon. Friend is in error in supposing that the scheme was laid on the Table of the House without publication, and in assuming, as he appears to do, that no hearing has been given to objectors. All the objections to the scheme have been carefully considered, and not only were its general features the subject of a Debate in this House early last Session, when an almost unanimous feeling in its favour was elicited, but the scheme itself lay on the Table without challenge for seven weeks, from July 3rd to the prorogation in August last. Looking, therefore, to the delay which has already taken place, and to the magnitude of the interests depending upon the success of the scheme, I can only refer my hon. Friend to the opportunity that will still exist of moving an Address to the Crown when the House meets again in January.

ELECTRIC LIGHTING IN LONDON.

MR. RICHARD CHAMBERLAIN (Islington, W.): I beg to ask the President of the Board of Trade whether his attention has been called to the long continued default of the Chelsea Electric Supply Company to furnish the statutory currents of 100 volts, and to the serious loss of illuminating power sustained by consumers in consequence; whether the Board of Trade have allowed this company a margin of four volts either way, and that the latter have taken advantage of this concession to give an average during lighting hours of 97 volts instead of the 100, to which consumers are entitled; whether complaints of this default were made to the Board 12 months ago, and assurance then made by the company of immediate amendment; and whether he will take steps to compel this company to keep faith with the public or to forfeit their concession?

*THE PRESIDENT OF THE BOARD OF TRADE (Sir M. HICKS BEACH, Bristol, W.): Last winter the hon. Member complained to the Board of Trade of the deficiency in the standard pressure of the current supplied by this company. The Board of Trade communicated with the company, and were informed that the cause of complaint had been removed. Under the regulations imposed upon the company under their order, they are bound to declare to the consumer the constant pressure at which they propose to supply him with energy, and the variation from the pressure so declared must not exceed 4 per cent. under a penalty not exceeding £5 for each default, and a daily penalty not exceeding £5 so long as the default continues. If the regulations are not complied with, it is open to the consumer to proceed against the company for penalties.

MR. R. CHAMBERLAIN: May I ask whether the right hon. Gentleman's attention has been called to the fact that the variation mentioned has been taken advantage of in order to supply the consumers not with an average of 100 volts, but of 97, in that way taking advantage of the concession of the Board of Trade?

*SIR M. HICKS BEACH: However that may be, if the company are in default the consumers have their remedy. It is not for the Board of Trade to enforce the law.

MR. R. CHAMBERLAIN: I understand from the right hon. Gentleman that we have no remedy unless they get below 96—the 4 per cent. referred to in the answer just given?

*SIR M. HICKS BEACH: Yes, Sir; that is so.

THE WAR OFFICE AND PRIVATE ESTABLISHMENTS.

MR. CUNINGHAME GRAHAM (Lanarkshire, N.W.): I beg to ask the Secretary of State for War why should men be discharged and machinery stand idle in the Arsenal while the work is being done by private contractors?

*THE SECRETARY OF STATE FOR WAR (Mr. E. STANHOPE, Lincolnshire, Horncastle): It is the policy of the War Office to give a share of its orders to the trade with the special object of having large sources of supply to rely upon in case of emergency. The Ordnance Factories have got through their share of work quicker than the trade.

In reply to a further question by Mr. GRAHAM,

*MR. E. STANHOPE said: I admit that the work done by the Ordnance Factories yields more profit to the Government than work done in private establishments, but it is of advantage to obtain a supply, not only from our own factories, but from private firms.

THE MANCHESTER SHIP CANAL.

MR. CUNINGHAME GRAHAM (Lanarkshire, N.W.): I beg to ask the Secretary of State for the Home Department if he will lay upon the Table a Return of the number of accidents, fatal or otherwise, that have taken place upon the Manchester Ship Canal during its progress?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): I have not this information in my possession, nor have I the means of ascertaining with anything like certainty what non-fatal accidents have taken place.

ROYAL WARRANTS.

MR. CUNINGHAME GRAHAM: I beg to ask the Secretary of State for War whether his attention has been drawn to a letter in the London *Times*, of 7th January, 1890, headed "Royal Warrants," and signed "D. Jamieson, Pensioner, Regimental Quartermaster Sergeant," complaining of Royal Warrants being interpreted to his disadvantage and also to the disadvantage of soldiers by the War Office; and whether the statements are well founded; and, if so, whether he will take any steps to rectify the grievances therein complained of?

*MR. E. STANHOPE: This man could have been pensioned either under the Warrant of 1878 or under that of 1881. Under the former he would have been entitled to a pension of 2s. 6d. a day; under the latter he has been granted 2s. 9½d. He cannot have the advantage of both Warrants conjointly, as he suggests, in order to increase his pension still further. I may add that his case has been repeatedly under the consideration of the War Office and of the Commissioners of Chelsea Hospital.

THE CAVALRY BARRACKS AT WINDSOR.

SIR SAMUEL WILSON (Portsmouth): I beg to ask the Secretary of State for War whether he is aware that the Cavalry Barracks at Windsor are in a most insanitary condition at present, and whether some cases of typhoid fever have occurred there recently; and is he prepared to take such steps as may be necessary to prevent further risk of disease from the cause referred to amongst Her Majesty's troops now stationed there?

*MR. E. STANHOPE: The sanitary state of the Cavalry Barracks at Windsor is reported to be very good. Two cases of enteric fever have occurred in the Royal Horse Guards. In one case the disease was probably contracted while on leave; the origin of the other case cannot be traced.

TRUST FUNDS AND COLONIAL SECURITIES.

MR. PETER McDONALD (Sligo, N.): I beg to ask the Chancellor of the Exchequer if he can now state the result of his consideration of the question whether permission be given by the Government to Trustees to invest their Trust Funds in Colonial Securities?

*THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): I have had no direct communication, as far as I can remember, from the Agents General since the Committee reported, urging me to take action in the matter.

TELEGRAPH MESSENGERS.

MR. PICKERSGILL (Bethnal Green, S.W.): I beg to ask the Postmaster General whether telegraph messengers are being employed on postmen's duties; and, if so, what wages they are receiving, and whether the proper duties of the telegraph messengers now so employed are performed by boys at wages lower than those usually paid to telegraph messengers?

*THE POSTMASTER GENERAL (Mr. RAIKES, Cambridge University): A certain number of the older telegraph messengers are being employed upon postmen's duties to fill temporary vacancies, and in order that they may have an opportunity of learning the work. These youths, if found suitable, will be appointed to the postmen's class, and in the meantime are paid wages of 17s. a week. The duties of the telegraph messengers, withdrawn from their ordinary work, are performed by temporary substitutes at the minimum of the telegraph messengers' pay, in accordance with the general rule of the Service.

MR. PICKERSGILL: Can the right hon. Gentleman say how many telegraph messengers are now employed in postmen's duty?

*MR. RAIKES: No, Sir; but I will make inquiry, and let the hon. Member know.

THE DISMISSED POSTMEN.

MR. PICKERSGILL: I beg to ask the Postmaster General whether, having regard to the good character of the dismissed postmen and their urgent distress, he will give them the preference for temporary employment during the Christmas "pressure" of work? I have also to ask whether postal *employés* will render themselves liable to dismissal or other official punishment by collecting subscriptions, either from the public or from their brother officers, for the dismissed postmen, who, with their wives and families, are on the verge of starvation?

*MR. RAIKES: For the reasons given yesterday in reply to the hon. Member for the Tower Hamlets, I regret that no employment in the London Postal Service can be given to the dismissed postmen. Post Office servants can, of course, collect what money they please among themselves; but, except in the case of Christmas boxes, they are forbidden to collect from the public for any object. To this prohibition I regret that no exception can be made.

THE CIVIL SERVICE.

MR. JOHN KELLY: I beg to ask the Secretary to the Treasury if he can state whether a Treasury Minute, explanatory of the Order in Council, in August last, dealing with the First Division of the Civil Service, will be issued; and, if so, at what date it will be published?

MR. JACKSON: Some Heads of Departments have addressed questions to the Treasury on two or three points in connection with the recent Order in Council, and the Treasury reply, which will most conveniently be in the form of a Minute, is on the point of being issued.

QUEENSLAND.

MR. HENNIKER HEATON (Canterbury): I beg to ask the Under Secretary of State for the Colonies whether it is the intention of the Secretary of State for the Colonies to lay upon the Table of this House any further Papers having reference to the erection of the northern portion of Queensland into a separate colony; whether the subject of the formation of such colony has occupied the attention of the Cabinet; and whether he is in a position to state the intention of the Government in the matter?

THE UNDER SECRETARY OF STATE FOR THE COLONIES (Baron H. de WORMS, Liverpool, East Toxteth): It is not proposed to present any Papers immediately, as the correspondence is in an incomplete state, but Papers will be presented at the proper time. The subject has received the attention of Her Majesty's Government, but I am not yet in a position to make any statement with regard to it.

HOUSE DUTY AND INCOME TAX.

MR. MORTON (Peterborough): I beg to ask the Chancellor of the Exchequer if he will take steps to allow to owners of houses under £25 assessment a discount off the House Duty and Income Tax, as is now done by the Local Authorities with regard to the Rates, on condition that the owner pays for the whole year, whether the property is let or unlet?

*Mr. GOSCHEN: There is no reason for allowing a discount "to owners of houses under £25" off House Duty and Income Tax, because House Duty is a tenant's tax and payable by him, and because an owner is only bound to allow Income Tax (Schedule A) on actual rent received; and if the house be void for any quarter, relief is afforded from the Income Tax charge under the 70th section of the Act 5 & 6 Vic., cap. 35.

Mr. MORTON: I beg, further, to ask the right hon. Gentleman if he will take steps to make the assessment of property on which House Duty and Income Tax are collected the same as that used (the rateable value) by the Local Authorities, so that the assessments for Imperial and Local Taxation may be uniform?

*Mr. GOSCHEN: A common basis of value is an almost indispensable condition of the proposal of the hon. Member; but the whole suggestion involves Budget considerations of too great a difficulty to be dealt with in the limits of an answer across the floor of the House.

WATER SUPPLY IN EGYPT.

Sir JOHN SWINBURNE (Staffordshire, Lichfield): I beg to ask the Under Secretary of State for Foreign Affairs whether any communications have been recently received from Her Majesty's Agent and Consul General in Egypt with reference to the summer supply of water in that country for agricultural and sanitary purposes; whether the repairs of the barrage have given satisfactory results; whether the water supply of Alexandria during the season of low Nile in 1888, 1889, and 1890, has been improved in quality and quantity by the changes effected by th Irrigation Department; and whether, in case communications relating to this subject have been received by Her Majesty's Government from Her Majesty's Agent and Consul General in Cairo, these communications, or the substance of them, will be laid upon the Table?

*The SECRETARY of STATE for FOREIGN AFFAIRS (Sir J. Fergusson, Manchester, N.E.): As to the first and fourth paragraphs, information with reference to the summer supply of water will be given in the Papers respecting the condition of Egypt about to be distributed. The repairs to the barrage have given very satisfactory results. We have no information as to the water supply of Alexandria during low Nile.

THE POSTAL AND TELEGRAPH SERVICE.

Mr. BRADLAUGH (Northampton): I beg to ask the Postmaster General if he can state when the revised scheme for the superior officers of the Postal and Telegraph Service, which has already been applied in Liverpool, Manchester, Birmingham, Newcastle, Bristol, and Leeds, will be extended to Nottingham, Derby, Leicester, Oxford, Northampton, Cambridge, Coventry, and to offices in similar towns?

*Mr. RAIKES: In reply to the hon. Member, I have to state that the case of most of the larger post offices is under examination at the present time with reference to the pay and position of the superior officers, but I am not yet able to state what changes may be found necessary in the particular instances referred to. I can, however, assure the hon. Member that the matter is receiving my anxious consideration, and that there shall be no avoidable delay in dealing with it.

THE CUSTOMS.

Mr. BRADLAUGH: I beg to ask the Secretary to the Treasury whether the agreement which, on the 24th April, 1890, had been practically arrived at between the Commissioner of Customs and the Treasury as regards the future status and rates of pay of the men engaged on statistical abstracting in the Customs Department, has yet been put into formal shape; and, if not, whether he can state the cause of the delay?

Mr. JACKSON: Some difficulties of detail occurred in giving effect to the re-arrangement of the Statistical Abstracting Department of the Customs, to which the hon. Member refers. These difficulties have now been solved, and we shall at once inform the Customs of our decision in the matter.

THE IRISH MAILS.

MR. M'CARTAN (Down, S.): I beg to ask the Postmaster General whether he is aware that, by the proposed mail route from London, *viâ* Stranraer and Larne, to Belfast and the North of Ireland, the English mails would reach Belfast at 8.47 a.m., Ballymena at 9.2 a.m., and Derry at 11.22 a.m., whereas the earliest hour at which the English mails, *viâ* Holyhead, now reach Belfast is 10.25 a.m.; whether he will state at what time they reach Derry and Ballymena; and whether, considering the great advantage which these and many other towns in Ulster would derive from the accelerated service by Larne and Stranraer, he will state when he can give a definite answer as to the adoption of this route?

*MR. RAIKES: I am not unaware of the advantages which might be expected from the adoption of the Larne route, but a proposal has been made to me for an acceleration of the existing service from Dublin to Belfast, and this must be carefully examined in conjunction with the first scheme. According to the Time Table furnished in connection with the proposal to which the hon. Member refers, the English mails would be due at the times mentioned. They now reach Derry at 12.15 p.m., and Ballymena at 12.18 p.m.

MR. JOHNSTON (Belfast, S.): May I ask the right hon. Gentleman if he has not been carefully considering the subject for some time with the view of solving the difficulty?

*MR. RAIKES: No time will be lost by me in arriving at a decision.

THE CASE OF MR. WALSH.

MR. T. M. HEALY (Longford, N.): I beg to ask the Attorney General for Ireland when the first warrant for Mr. Walsh, of the *Cashel Sentinel*, was signed, and who signed it, and on what ground was it delayed?

Mr. Jackson

THE ATTORNEY GENERAL FOR IRELAND (Mr. MADDEN, Dublin University): I have already said that the County Court Judge, with whom the matter rested, is not under the control of the Government.

MR. T. M. HEALY: Why was the second warrant held over and not put in force? Under what statute did the police act?

MR MADDEN: I have already told the hon. Member that the second warrant was put in force after the termination of the imprisonment under the first warrant. This course is in compliance with the regulation of the Royal Irish Constabulary.

MR. T. M. HEALY: This is a matter of vital importance. I understand the right hon. Gentleman to say that there is no statute, and that it was only the regulations of the Constabulary that were acted upon. Are those regulations in accordance with the law? I ask the right hon. and learned Gentleman as a lawyer to examine the statute, and to see whether what has taken place is in accordance with the Petty Sessions Act. Will he as a lawyer say that the Royal Constabulary Code is in conformity with the statute?

MR. MADDEN: Yes.

MATRONS AT POLICE STATIONS.

SIR ROBERT FOWLER: I beg to ask the Secretary of State for the Home Department what recent progress has been made in the employment of women as resident matrons or caretakers at police stations in London and the provinces; and have any police stations in London and the provinces been yet appropriated exclusively to the reception of females under arrest; and, if so, how many are there of such stations?

MR. MATTHEWS: I am informed by the Commissioner of Police that this question is now under the consideration of a Board of experienced officers, who will shortly make a Report; and I await that Report before taking any further steps. The answer to the last paragraph is in the negative, as far as London is concerned, and I am not aware that any police stations are appropriated to this purpose in the provinces.

SAVINGS BANK DEPARTMENT.

MR. LAWSON (St. Pancras, W.): I beg to ask the Postmaster General, with respect to the fact that the two officers who happened to deliver a Memorial addressed to the Treasury, and signed by upwards of 350 officers of the Savings Bank Department, have been transferred to other branches of the Post Office, it being alleged against them that they are responsible for the publication of the Memorial in the *Evening News and Post*, notwithstanding their emphatic denial of the charge, whether either the Postmaster General or the Controller of the Savings Bank has received a further request that the Memorial be withdrawn from further consideration; and whether, in view of the foregoing, and also of the increasing difficulties connected with the work of the Department, he will take steps to appoint a Committee of Inquiry into the grievances complained of by the officers concerned?

*MR. RAIKES: I beg to say, in answer to the first question of the hon. Member, that I have received a request from certain officers of the Savings Bank Department that the Memorial to which he refers may be withdrawn from further consideration. In reply to the second question, I beg leave to say that I see no necessity for the appointment of a Committee of Inquiry. It is the fact that the two officers referred to, and to whom a confidential communication from myself to the memorialists was entrusted, have been transferred to other branches of the Post Office in consequence of these documents having been divulged. They were afforded an opportunity for explanation, but failed, in my judgment, to divest themselves of responsibility for this proceeding. Every officer in the Department is well aware that official communications between the Minister and the staff are strictly confidential; and it would, indeed, be impossible for departmental questions to be discussed freely between the Head of a Department and his officers if this honourable obligation is not recognised. I felt it necessary, therefore, to mark my disapprobation of what has occurred by transferring to other branches officers in whom I could no longer place confidence as intermediaries in any question affecting the Savings Bank.

SCALES AND WEIGHING MACHINES.

MR. CAUSTON (Southwark, W.): I beg to ask the President of the Board of Trade whether he is aware of the great pressure that is being put upon scale and weighing machine manufacturers in order that the requirements of the Act, which will come into operation on 1st January, shall be complied with; and whether the Government will grant an extension of time for affixing the Government stamp to all weighing instruments?

*SIR MICHAEL HICKS BEACH: The Act which was passed in July, 1889, came into operation on January 1, 1890, and provides that persons who use for trade, after January 1, 1891, any weighing instrument not verified and stamped by an Inspector of Weights and Measures shall be liable to a fine. The Government have no power to extend the date fixed, and it appears to me that unless an Inspector considers that a weighing instrument is not correct, and declines on that account to stamp it, there is no necessity for the interference of a manufacturer to adjust it. With reasonable conduct on the part of the Local Authorities and the traders, I do not see why any difficulty should arise.

PRESUMPTION OF LIFE LIMITATION (SCOTLAND) ACT.

MR. BUCHANAN: I beg to ask the Lord Advocate whether he will introduce legislation to amend "The Presumption of Life Limitation (Scotland) Act, 1881?"

*THE LORD ADVOCATE (Mr. J. P. B. ROBERTSON, Bute): During the Recess I shall be happy to consider whether there are any considerable number of cases not covered by the Statute.

IRELAND—THE CONGESTED DISTRICTS.

SIR LYON PLAYFAIR (Leeds, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether the Reports made by the Inspectors, as to the state of the Congested Districts, will be presented to Parliament?

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): Yes, Sir; it is my intention to include the Reports of the Irish Local Government Inspectors among the Papers to be laid upon the Table on the subject mentioned.

THE LAND PURCHASE BILL.

MR. KEAY (Elgin and Nairn): I beg to ask the Chancellor of the Exchequer, as the moneys of the Sinking Fund are to be all re-lent or re-lendable for long periods under the Land Purchase Bill, if he would state what monies will be available for the redemption of the original land Stock?

*MR. GOSCHEN: The moneys of the Sinking Fund are not to be re-lent. They are to be applied as a Sinking Fund. Supposing £1,000,000 had been lent, in the first year there would be £40,000 payable on the £1,000,000 as an annuity, of which £10,000 would go to the Sinking Fund and might be employed in cancelling £10,000 of Guaranteed Stock. In consequence, at the beginning of the next year there would be only £990,000 of that Stock, and there would be £10,000 to lend again, bringing up the sum to the original £1,000,000. By such a process the amount of the Guaranteed Stock not covered would never exceed the £1,000,000. Or, again, the £10,000 might be invested in Consols, and the Consols themselves and the interest thereon would stand as an asset in favour of the Fund.

MR. KEAY (Elgin and Nairn): I wish to ask the right hon. Gentleman whether it is not the case that under the system which he has described it would be necessary to issue fresh Stock on the occasion of re-lending?

*MR. GOSCHEN: Yes; it would; £10,000 would be cancelled, and £10,000 would be freshly issued. Consequently, the total would stand as it was at the commencement. Under that process the total would never exceed £30,000,000, which would be covered by the security.

MR. SHAW LEFEVRE (Bradford, Central): Will the right hon. Gentleman lay on the Table a Return showing the effect of the accumulated Sinking Fund under the Land Purchase Act?

*MR. GOSCHEN: I will confer with my right hon. Friend the Chief Secretary, and see what we can do.

SOUTH-EAST AFRICA—AFFRAY IN MUTACA'S COUNTRY.

MR. BRYCE: I beg to ask the Under Secretary of State for Foreign Affairs if he can now give the House any further information regarding the recent reported affray near Mutaca's Kraal, in South-East Africa, between the police employed by the British South Africa Company and the Portuguese; and if he can make any statement as to the progress of negotiations with Portugal, regarding her relations to Great Britain, of the two countries in South-East Africa, and the means to be taken for averting disputes and collisions between the subjects of the two Governments?

*SIR J. FERGUSSON: No information has been received from the Cape except the telegram already quoted. Portuguese reports give a different version, stating that the British were the aggressors; but we have no reason to doubt the accuracy of the statements forwarded by the High Commissioner. The latest step in the negotiations is the conclusion of the *modus vivendi*. The necessity of observing this has been strongly impressed on the South Africa Company, and it is understood that the Portuguese Government is equally anxious to secure its observance. It is hoped that there will be no more collisions between the *employés* of the rival companies, but they are beyond the immediate control of the Governments.

MR. BRYCE: May I ask whether Papers will be laid upon the Table before the House re-assembles?

*SIR J. FERGUSSON: I cannot say when the Papers will be produced, as it is manifest that the Government must wait until the Despatches arrive before laying the Papers upon the Table.

MR. BUCHANAN: Will the Papers referring to the *modus vivendi* be laid upon the Table?

*SIR J. FERGUSSON: No doubt those Papers will be presented.

CHRIST'S HOSPITAL.

MR. MUNDELLA (Sheffield, Brightside): I beg to ask the Vice President of the Committee of Council on Education whether the governing body of Christ's Hospital has been appointed, and when the names will be gazetted?

MR. J. W. LOWTHER (Cumberland, Penrith): Perhaps the right hon. Gentleman will allow me to answer this question. The time fixed by the scheme for Christ's Hospital, for the completion of the body of almoners, has been extended by an Order of the Charity Commissioners to the 15th inst.; and the like time for the completion of the body of governors so constituted (in which body these almoners are included) has been similarly extended to the 1st of January, 1891. No provision is made in that scheme for the publication in the *London Gazette*, or otherwise, of the names of the persons appointed in pursuance of the scheme to be governors or almoners.

PROFESSOR KOCH'S CURE FOR TUBERCULAR DISEASES.

MR. ERNEST SPENCER (West Bromwich): I beg to ask the President of the Board of Agriculture if he has yet received any of Professor Koch's fluid for the cure of tubercular diseases; and whether it can be obtained, on application to the officials of his Department, by the authorities of recognised public institutions?

THE PRESIDENT OF THE BOARD OF AGRICULTURE (Mr. CHAPLIN, Lincolnshire, Sleaford): The Board of Agriculture has applied for a small quantity of Professor Koch's fluid for purposes of experiment upon animals, but we have not yet received it, and, consequently, it cannot be obtained on application to the officials of the Department.

"MITCHELL *V.* REGINA."

MR. CUNINGHAME GRAHAM: I beg to ask the Attorney General if he will lay upon the Table of the House a Copy of the Allocatur or taxed costs of the Crown in "Mitchell *v.* Regina," amounting to £160 15s. 6d., and dated 8th May, 1890, and inform this House if it is true that the following is written on it:—

"By consent of the parties I hereby cancel this Allocatur.

"(Signed.)

"W. F. ARCHIBALD, June 18th, 1890.
"A Master of the Supreme
Court of Judicature."

THE ATTORNEY GENERAL (Sir R. WEBSTER, Isle of Wight): There is no necessity to lay upon the Table a Copy of the Allocatur. The Crown did not press for the costs of the proceedings out of consideration for Colonel Mitchell, and at his request, on the distinct arrangement in writing that Colonel Mitchell's supposed claim should not again be raised in any shape.

THE CROFTER DISTRICTS.

MR. J. CHAMBERLAIN (Birmingham, W.): I beg to ask the First Lord of the Treasury whether the Government are now able to state what action they contemplate to give effect to the Report of the Commission appointed to inquire into the question of Public Works in the Crofter Districts of Scotland?

THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): The Report in question is receiving careful examination by the Secretary for Scotland in conjunction with the Chancellor of the Exchequer and myself, and we believe that we shall be in a position to submit proposals to Parliament with reference to the recommendations made by the Commissioners shortly after the re-assembling of the House.

WATER SUPPLY OF LONDON.

MR. LAWSON: I beg to ask the First Lord of the Treasury whether, on the re-assembling of Parliament, he will ask the House to appoint a Select Committee to consider the various Public and Private Bills affecting the water supply of the Metropolis, and the method of assessing the charges thereon, introduced this Session?

MR. W. H. SMITH: The Government are not in a position to state what course they will advise the House to adopt with regard to the various Bills affecting the water supply of the Metropolis until the Bills have been printed and are before the House.

LOANS TO IRISH TENANTS.

Mr. FINUCANE (Limerick, E.): I beg to ask the Chief Secretary for Ireland whether the Government will lend money to the Irish farmers at the same rate of interest charged by a previous Government to the landlords in the year 1879, for the purpose of—first, executing useful works on their farms; and, secondly, of giving employment to the agricultural labourers during the next six months?

Mr. A. J. BALFOUR: I am obliged to the hon. Gentleman for having given me notice of his question and for the letter with which he accompanied it. I do not, however, think it would be advisable to comply with the implied suggestion which it contains. In most of the districts where serious distress may be apprehended there are no large farmers, and relatively few agricultural labourers, the population consisting almost entirely of small occupiers. Moreover, many of the objections which apply to the system adopted in 1879 for lending money to landlords apply, though with less equal force, to the proposal made by the hon. Gentleman.

MUSIC AT FRIENDLY SOCIETY MEETINGS.

Mr. WOOTTON ISAACSON (Tower Hamlets, Stepney): I beg to ask the Home Secretary whether at the meetings of lodges of Masons, Oddfellows, Foresters, Druids, and other Societies on licensed premises, when only members of the Society are present, piano playing and singing are forbidden; and, if so, under which Act are the members of those Societies (who number many thousands) precluded from participating in such innocent amusement?

Mr. MATTHEWS: The question is hardly definite enough for me to give a very satisfactory answer. I may say, however, that the only general Act bearing on the subject is the 20th George II., c. 36; and, speaking generally, the penalties in that Act fall upon the owner of the house, and not upon the visitors. Moreover, the police do not in practice interfere unless there is proof of actual disorderly conduct, immorality, or real mischief.

Mr. W. ISAACSON: Is the right hon. Gentleman aware that last week the police summoned members of one of these Societies for playing the piano and singing?

Mr. MATTHEWS: No; I am not aware of it.

NATIONAL EDUCATION BOARD (IRELAND).

Mr. CLANCY (Dublin Co., N.), for Dr. Kenny (Cork, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether a vacancy is expected in the post of Catholic Chief of Inspection, under the National Education Board, Ireland; whether such vacancy, both by right and custom, belongs to the Catholic Inspectors of National Schools; and whether it is the intention of the Government to go outside the ranks of Catholic Inspectors in making the appointment; and, if so, will he consent not to make any appointment to the expected vacancy during the Recess, in order that the matter may be discussed in the House?

Mr. A. J. BALFOUR: There is no immediate prospect of any vacancy.

RAILWAYS IN COUNTY DONEGAL.

Mr. LEA (Londonderry, S.): I beg to ask the Secretary to the Treasury if any decision has yet been come to for the construction of the railway between Buncrana and Cardonagh, in County Donegal?

Mr. JACKSON: I must ask the hon. Gentleman to postpone the question for the present.

MESSAGE FROM THE LORDS.

That they have agreed to,—Seed Potatoes Supply (Ireland) Bill, without Amendment.

That they have passed a Bill, intituled "An Act to provide a close time for Hares in England, Scotland, and Wales." [Hares Preservation Bill [Lords.]

And, also, a Bill, intituled "An Act to Amend the Law as to the Endowment of the Archdeaconry of Cornwall." [Archdeaconry of Cornwall Bill [Lords.]

NAVAL RESERVES (No. 1).

Return ordered—

"Of number of Naval Reserve Drill Ships and Batteries, with details as under, commencing in each case with the name of the ship or battery where the largest number of officers and men were drilled, for the year ending the 31st day of March 1890, in the following form:—

Port or Place.	Name of Ship.	Number drilled 1889 and 1890.			Arma-ment.			Rifles.		Pistols.		Drill Swords.	Facilities for Target practice.				Batteries.				Drill Sheds, including those hired.				Miscel-laneous Memoranda.
		Officers.	Men.	Total number.	Guns.	Type of Gun.	Nordenfelts and Maxim.	Number.	Type.	Number.	Type.		Gun.	Rifle.	Distance to Range.	Pistol.	When built.	Condition.	Dimensions.	If sufficient accommodation.	When built.	Condition.	Dimensions.	If sufficient accommodation.	

—(*Mr. Gourley.*)

NAVAL RESERVES (No. 2).

Return ordered—

"Showing total cost of Royal Naval Reserve Drill Ships and Batteries, including Salaries, Allowances, and Emoluments of all Ranks and Ratings, except Instructors, for the year ending the 31st day of March 1890, in the following form:—

Port or Place.	Name of Ship or Battery.	Annual cost of maintenance and repairs.		Staff.					Incidental charges.						Other charges.	Total.
				Officers (including Warrant Officers) showing rank of each Officer.		Petty Officers and Seamen		Total Pay and Allowances of each rank and rating.	Dock charges for Drill Ships.	Allowances to Battery Officers for drilling Royal Naval Reserve.	Rifle ranges.	Travelling to rifle practice.	Ground and other rents for Batteries.	Hire of sheds or other buildings.		
		Receipts.	Payments.	Number.	Rank.	Number.	Rating.									

—(*Mr. Gourley.*)

MESSAGE TO ATTEND THE LORDS COMMISSIONERS.

The House went;—and being returned;—

Mr. Deputy Speaker reported the Royal Assent to,—

1. Transfer of Railways (Ireland) Act, 1890.
2. Seed Potatoes Supply (Ireland) Act, 1890.

COURT OF EXCHEQUER (IRELAND) (LORD CHIEF BARON'S OBSERVATIONS ON APPLICATION FOR HABEAS CORPUS).

Return ordered—

"Of the Observations of the Lord Chief Baron of the Irish Court of Exchequer on delivering the Judgment of the Court on an application for Habeas Corpus by Michael O'Brien Dalton and others on the 1st day of December last."—(*Mr. T. W. Russell.*)

MOTIONS.

KINGSTON-UPON-HULL (COURT OF RECORD) BILL.

On Motion of Sir Albert Rollit, Bill to amend the practice and procedure of the Court of Record of the borough of Kingston-upon-Hull, ordered to be brought in by Sir Albert Rollit, Mr. Charles Wilson, Mr. King, Mr. Grotrian, Mr. Sykes, Mr. Duncombe, and Commander Bethell.

Bill presented, and read first time. [Bill 158.]

MUSEUMS AND GYMNASIUMS BILL.

On Motion of Mr. Powell, Bill to enable urban authorities to provide and maintain Museums and Gymnasiums, ordered to be brought in by Mr. Powell, Dr. Farquharson, Mr. Edward Hardcastle, Sir Albert Rollit, Mr. Kenrick, Mr. Mallock, and Mr. Samuel Smith.

Bill presented, and read first time. [Bill 159.]

TRAMWAYS (IRELAND) ACT (1860) AMENDMENT BILL.

On Motion of Sir Edward Harland, Bill to amend "The Tramways (Ireland) Act, 1860," ordered to be brought in by Sir Edward Harland, Mr. Sexton, and Captain M'Calmont.

Bill presented, and read first time. [Bill 160.]

FORGED TRANSFERS BILL.

On Motion of Mr. Pitt-Lewis, Bill for preventing purchasers of Stocks from losses by Forged Transfers, ordered to be brought in by Mr. Pitt-Lewis, Mr. Kimber, and Mr. Maclure.

Bill presented, and read first time. [Bill 161.]

ARCHITECTS' REGISTRATION BILL.

On Motion of Mr. Noble, Bill for the Registration of Architects, ordered to be brought in by Mr. Noble, General Goldsworthy, and Mr. Justin M'Carthy.

Bill presented, and read first time. [Bill 162.]

ORDERS OF THE DAY.

LAND DEPARTMENT (IRELAND) BILL.—(No. 112.)

Bill considered in Committee.

(In the Committee.)

Clause 1.

Committee report Progress, to sit again upon Thursday, 22nd January.

PURCHASE OF LAND AND CONGESTED DISTRICTS (IRELAND) [ADVANCES &c.]

Considered in Committee.

(In the Committee.)

Motion made, and Question proposed,

"1. That it is expedient to authorise—

(a.) the temporary advance out of the Consolidated Fund of the United Kingdom of any sums that may be required for making good any deficiency in the Land Purchase Account for the payment of dividends on guaranteed Land Stock and payments to the Sinking Fund;

(b.) an annual Exchequer contribution of £40,000 out of the Consolidated Fund of the United Kingdom to the Guarantee Fund.

(c.) the payment out of the Consolidated Fund of the United Kingdom of the salaries of the Land Commissioners.

"2. That it is expedient to authorise the payment, out of moneys to be provided by Parliament, of the salaries, remuneration, and administrative expenses of the Congested Districts Board, in pursuance of any Act of the present Session relating to the Purchase of Land in Ireland, the Land Commission, and the Congested Districts in Ireland."—(*Mr. A. J. Balfour.*)

(4.32.) **MR. T. M. HEALY** (Longford, N.): I understand from Her Majesty's Government that the pledge of the right hon. Gentleman the First Lord of the Treasury was that no further stage beyond the Second Reading would be taken of any of these measures. We have allowed the Government in connection with these two Bills to take another stage—one that I understood was reserved for after the Christmas holidays.

(4.33.) **THE FIRST LORD OF THE TREASURY** (Mr. W. H. SMITH, Strand, Westminster): Progress cannot be made in Committee with this Bill until a formal Resolution has been passed, which Resolution was included in the programme of the Government—that is to say, the programme of business to be taken before the adjournment for the Christmas holidays.

MR. T. M. HEALY: I refer not to the arrangements of the Government, but to the pledge of the right hon. Gentleman. I apprehend that the right hon. Gentleman stated that the Government would not press these Bills beyond the Second Reading stage, but they have now achieved a further stage, which has prevented Instructions being moved on going into Committee.

(4.34.) MR. W. H. SMITH: The pledge I gave to the House was that no progress should be made in Committee on the Bill until after the Christmas Recess, but it was distinctly understood that all the steps necessary to get the Speaker out of the Chair should be disposed of, and the Money Resolution is one of those steps.

MR. T. M. HEALY: I will say no more on the point, but I hope the Irish Members will have sufficient notice given them of the intention of the Government to make effective progress in Committee on the Land Bills. I understand from the Government that the early part of the January Sitting will be occupied with the Tithe and the Scotch Private Legislation Bills. That is, no doubt, right and proper; but I think we should have a few days' notice of the Irish Bills, so as to enable us to put down our Amendments. We do not want to spend our Christmas in preparing Amendments. We cannot be expected to devote our whole lives to work of this kind. We ought to have ample notice as to when effective progress will be made with the Irish Bills in Committee.

(4.36.) MR. W. H. SMITH: I will undertake that the effective notice which the hon. Member requires shall be given. I think the hon. Member will agree that that is a course which has always been adopted by the Government, at the request of the Irish Members. No Bill other than the Scotch Private Legislation Bill and the Tithe Bill will be proceeded with in Committee before January 29th; and if the Tithe Bill is not through Committee on that date, no other Bill will be proceeded with in Committee on that date. The hon. Member will see by the progress made with the Tithe Bill and the Scotch business whether the attendance of himself and his friends will be requisite. However, I will undertake that ample notice of the Land Bills shall be given.

Question put, and agreed to.

Resolutions to be reported upon Thursday, 22nd January.

TRAMWAYS ORDER IN COUNCIL (IRELAND) (ATHENRY AND TUAM RAILWAY) BILL.—(No. 157.)

SECOND READING.

Order for Second Reading read.

(4.39.) THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): Owing to this Bill not having been printed yesterday the House was not able to pass it through all its stages, as was intended. Even if the House agrees to pass it through all its stages at the present Sitting, it cannot become law before Parliament re-assembles in January, because it will be impossible to pass it through the House of Lords. Still, if all the stages are passed by this House, I think action may be taken on the Bill by the company, although it has not formally become law. I therefore suggest that all the stages should be taken at once.

Bill read a second time, and committed; considered in Committee, and reported, without Amendment; read the third time, and passed.

ADJOURNMENT (CHRISTMAS RECESS).

Motion made, and Question proposed, "That this House, at its rising, do adjourn till Thursday, 22nd January, 1891."—(*Mr. William Henry Smith.*)

(4.42.) MR. MARJORIBANKS (Berwickshire): I would point out that great inconvenience will be caused to Scotch Members if the Scotch Private Legislation Bill is taken on the day of the meeting of Parliament. It has always been the custom to put off measures affecting the extreme parts of the Kingdom to some day after the day of the meeting of the House. Scotch Members have no sort of idea of offering undue or obstructive opposition to the measure. I think Thursday, January 29th, would be a more convenient day.

(4.43.) MR. A. ELLIOT (Roxburgh): I consider it inconvenient not to go on on the earliest possible day with a measure we are interested in, and I may say, on behalf of the Scotch Members, that we have reason to feel considerable disappointment at no progress having been made with Scotch business before Christmas, seeing that there has been time and to spare. We could have made progress with Scotch business, and could have resumed the consideration of the Bills at the stage at which they were left when we met again after the holidays. I would protest against taking away precedence from the Scotch measure dealing with Private Bill legislation, as it is desirable that it should be passed with the utmost expedition. The Bill has been before the House year after year, either in the hands of private Members or in the hands of the Government, and yet we have made no progress with it. Scotland is anxious that the Bill should pass, and there are not many signs that it is likely to be opposed on its merits by Scotch Members; therefore, I would ask the right hon. Gentleman the First Lord of the Treasury to keep the measure well to the fore, giving it the earliest possible place on the Paper.

(4.45.) MR. COX (Clare, E.): Before the House adjourns it would be satisfactory—to the Irish Members, at any rate—to know from the Chief Secretary whether he intends placing on the Table of the House the Reports of the two engineers he has appointed to make inquiries as to remunerative and useful works for the relief of distress in Ireland. I think it would be useful if he would state whether the Report will be submitted during the Recess or after the re-assembling of the House.

*MR. P. J. POWER (Waterford, E.): I think the Ashbourne Act has been more in operation in East Waterford than in any other district in the South of Ireland. I have received four large Memorials from tenants who have purchased on various estates. One Memorial is signed by tenants who purchased on Lane Fox's property, another by tenants who purchased on property owned by Mrs. Curtis, and I have an immense Memorial here signed by nearly all the tenants on the Curraghmore Estate. The tenants on the Marquess of Waterford's Estate say they are in arrear. Many of them are very largely in arrear. Though the potato crop has not been a complete failure, the yield has been much below the average. The yield of butter, too, has been very small. There have been several sales on the Curraghmore property owing to the tenants' failure to pay their instalments, and in some cases the Marquess of Waterford has re-purchased the holdings. I take it that when the Bill became law it was intended that landlords should not re-purchase holdings. At a Board of Guardians' meeting last week a man who had purchased his holding at 18 years' value applied for relief. He was unable to keep up the instalments, and those conversant with the property say his is only a typical case, and that before many years pass many more men will be compelled to apply for outdoor relief. Some people will say they made the bargains with their eyes open, and they have no one to blame but themselves. But we must acknowledge that when a person is in arrear, and likely to be thrown on the roadside, he is not in a condition to make a fair bargain, and many men in that position will accept terms which conscientiously they cannot fulfil, in the hope of putting off the evil day. The prayer of those who have signed the Memorials to the Land Commission is that the term for paying their instalments should be increased from 49 to 69 years. Some may say that is a very unreasonable proposal. Yes; but I presume you want dual ownership to end. I submit that in the interest of the community, and of the carrying out of the spirit of the Ashbourne Act, the prayer of the memorialists is worthy of the serious consideration of Her Majesty's Government.

(4.49.) MR. SINCLAIR (Falkirk, &c.): I hope sincerely the First Lord of the Treasury will not accede to the proposal of the right hon. Gentleman the Member for Berwickshire (Mr. Marjoribanks) with regard to the Scotch Private Bill Procedure Bill. I trust that this Bill, which the burghs of Scotland are extremely anxious to see passed into law, will receive the assent of the House, but there will be considerable difficulty in attaining such an object if the Bill is put behind other very important Bills with which the Session is already weighted.

(4.50.) MR. ESSLEMONT (Aberdeen, E.): I desire to refer to another Scotch Bill—the Burgh Police and Health (Scotland) Bill. The other day the Lord Advocate renewed the offer of the Government to take the Bill if it could be taken unopposed. The right hon. and learned Gentleman also said the Government could not see their way to give any time for progress with regard to the Bill. I cannot help thinking that the Government are somewhat unreasonable. The Bill consists of 531 clauses, and therefore it is not unreasonable to expect the Government to give some time to its consideration. I wish now to ask the right hon. Gentleman whether, if a private Member brings in this Burgh Police and Health (Scotland) Bill, the Government will give him some benevolent assistance, so that the measure may be passed if possible. It interests the whole of the smaller burghs in Scotland and some of the larger burghs too, and under these circumstances I hope more reasonable counsels will prevail with the Government.

(4.52.) DR. CAMERON (Glasgow, College): I would appeal to the right hon. Gentleman to yield to the appeal which has been made to him by my right hon. Friend. I do not do so on the ground of the convenience of the Scotch Members. The convenience of some of us must be sacrificed, and I should be sorry to find Scotch Members making more of their convenience than others. But the Bill is a most important one in view of the principle it involves. The question has never been threshed out in the House at all. It was the subject of debate last Wednesday, but has never been debated as a Government measure and in a full House. It affects not only Scotland, but every English Railway Company that has running powers over Scotch lines. I am as little enamoured of the system of Private Bill legislation as anyone in this House, and should be glad to see it amended, but I think that when the question is dealt with it should be discussed by all the Members of the House, as embodying a plan which sooner or later will be extended to the other portions of the kingdom. It would certainly not be a wise thing to proceed with a measure of this sort in an empty House in the first days after the Recess.

*(4.55.) MR. C. S. PARKER (Perth): I so far agree with the hon. Member who has just sat down that I think it would be a mistake on the part of the Government to insist on great haste in dealing with a Bill that is generally approved of in point of principle, but which it would be scarcely safe to pass rapidly in a very thin House. If it should be put forward on the first day of the resumed Session I intend to be in my place to take part in the Debate upon it. It is, however, a Bill that ought to be discussed by English as well as Scotch Members. With reference to the Burgh Police Bill, the City of Perth is much interested in its becoming law. It has been exhaustively discussed both in Parliament and locally in Scotland. The opposition to it is limited to a very few Members, and it appears to me that if Scotland is to have confidence in the Imperial Parliament for Scottish legislation the Government ought to make an effort in favour of a Bill so well supported by Scottish opinion.

*(4.57.) MR. D. CRAWFORD (Lanark, N.E.): I wish to support the appeal to the Government that the Private Legislation Bill should be postponed for a few days. I think the popularity of the measure is considerably exaggerated in the minds of those who have spoken in its favour. No doubt, a change of some kind is required, but the Bill deals with questions of great difficulty and importance, and it would be very undesirable to let it be rushed through a thin House. I should think the Tithes Bill will fully occupy the attention of the Government at the beginning of the next Sittings, and it is only reasonable to ask that the Bill to which I refer should be postponed for a week or so. As to the other measure, it is a Government Bill, and is almost unanimously approved in Scotland. It was considered for two months by a Select Committee, and when it was ripe for passing and ready to pass, it was

only prevented from becoming law by a supporter of the Government putting down two or three pages of Amendments when there was only one day left. Under these circumstances, I think we have a somewhat special claim upon the consideration of the Government.

(4.59.) **Sir G. CAMPBELL** (Kirkcaldy, &c.): There are two sides to the question of the Burgh Police Bill. I quite agree that it contains much valuable matter and many useful clauses. If the Government would consent to make the Bill permissive, as many people in Scotland meant it, I for one, and I think many of those who oppose it, would be inclined to withdraw our opposition. If, however, it is to be imposed on all the small burghs the Government must expect strong opposition to it.

*(5.0.) **Mr. J. SEYMOUR KEAY** (Elgin and Nairn): I desire to elicit a piece of information from the Chief Secretary with regard to a very important matter raised to-day by my right hon. Friend the Member for Bradford (Mr. Shaw Lefevre). He has on the Paper a Motion in which he moves for a Return, and we have just heard the Chancellor of the Exchequer in replying to my right hon. Friend intimate that he would give some sort of Return, though I did not exactly gather whether or not it would, as promised, satisfy the terms of the Motion of my right hon. Friend. In this connection I wish to fortify the Chief Secretary in making this Return as full as possible, and in doing this I would remind the House of a circumstance which is not likely to be forgotten, namely, that, on the occasion of bringing in the former Land Purchase Bill last Session, the right hon. Gentleman the Chief Secretary, or the leader of the House—I have forgotten which—gave a pledge in response to the request of the right hon. Gentleman the Member for Mid Lothian, who expressed the desire that the Government would, in asking the House to deal with such a complex measure, lay as many Returns and Papers as possible on the Table so as to enable the House to arrive at a correct judgment on the many involved and important points in the Bill. The Government gave the desired assurance, and produced certain Papers on the last occasion when this Land Purchase question was before us. Reminding the Government of this, I now beg them to give us an assurance that the Return the Chancellor of the Exchequer has promised shall give information in full, so as to satisfy the terms of the Motion and completely meet all the points raised by the right hon. Gentleman the Member for Bradford.

(5.2.) **Mr. T. M. HEALY** (Longford, N.): I wish to make an appeal to the Chief Secretary on the matter raised by my hon. Friend the Member for East Waterford (Mr. P. J. Power). He has informed the House as to the condition of the tenantry of the Lane Fox estate and Lord Waterford's estate, and what I ask the Chief Secretary to do is this. The right hon. Gentleman has assented to the Motion of the hon. Member for South Tyrone (Mr. T. W. Russell) for laying before the House the Judgment given by Chief Baron Palles in the well-known case of Mr. O'Brien Dalton. Will he also lay upon the Table of the House two Judgments of Mr. Commissioner Lynch in relation to certain of Lord Waterford's tenants, delivered a couple of years ago in the cases of "Welch *v.* Waterford" and somebody else *v.* Waterford? These Judgments show the genesis of the difficulties on Lord Waterford's estate. I learn from a report in a local newspaper that one of the tenants on the estate has become a pauper a year after he became the purchaser of his holding. The man was made a freeholder, he was rooted in the soil, and in consequence of the manner in which this operation was carried out he became an applicant for Poor Law relief. He went into the Land Court to buy under crowbar pressure, and the Land Court Judge gave his Judgment that this crowbar pressure was not duress. Mr. Foley went before the Guardians of the Union for relief as a destitute and evicted tenant. He was evicted by the Land Commission, and observe, no sooner was he evicted than Lord Waterford bought back from the Commissioners his own holding. Now, I call this "bulling" the market. The landlord having parted with his shares—I call the land his shares—his shares in

Irish land at a high price, I will call it par; then, they having fallen in value, say 50 per cent., he purchases back the shares from the Commission, and pockets a handsome dividend by the transaction. Now this is a very serious state of things, and we prophesied that it would arise. We pointed out what would be likely to happen, and in the result you have the Waterford tenants evicted, and one of them appealing to the Carrick-on-Suir Board of Guardians for out-door relief. Is this not a painful position? Mr. Foley was asked several questions as to his tenure, and questions elicited the information that he purchased at 18 years on the old rent, which was reduced by £10. He was asked to purchase or to give up the land. Mr. Thompson, a Tory Guardian, asked how much rent was owing to Lord Waterford, and Mr. Foley said two years. Lord Waterford forgave him I suppose, as it is called, the 10 years' rent. He got 18 years' purchase on the old rent from the Land Commission. Now, I suppose the Chief Secretary will not pretend that it is acting from a statesmanlike view or from purely patriotic motives to conceal the truth upon these matters, and I ask him to lay on the Table the Judgment of Commissioner Lynch that it is not duress to compel a tenant, under threat of eviction, to buy at a given rate. I really cannot see the position of the Chief Secretary. He has struck out, I believe, all limitation of years' purchase. I understand in the old Bill the limit was 20 years, but now there is no limit, and we shall see the result. I beg of him, claiming conscientious motives as he does in forcing on this Purchase Bill—in forcing Irish tenants to buy at a rate fixed by the Land Commissioners under landlord pressure—I ask him, in the name of Heaven, if Ireland is to be a going concern under a Home Rule, Liberal, or Tory Government, not to load down under a horrible dead weight of debt miserable, impoverished tenants, forced to buy at a ruinous rate. Some of the Lane Fox tenants came to me and the late Mr. Biggar when we were in the district, and our advice was, Buy if you can get the land at a desirable rate. Mr. Biggar was most emphatic. You may say that dishonest motives prompt this begging for a reduction now, and that the tenants have money in the stocking or the Savings Bank, but I do not believe you have so demoralised the Irish people that a body of them would be guilty of such a course of conduct, except under the greatest stress of circumstances. The Chief Secretary is willing to lay before us a Judgment of Chief Baron Palles whenever it is in his favour, though he refuses it when it is against him; but will he lay on the Table these Judgments of Commissioner Lynch? That the right hon. Gentleman approves of the actions of Mr. Commissioner Lynch we know from the fact that that gentleman's salary is to be raised by £1,000 a year. I do not see my way to support the suggestion that the number of years over which payments should be spread should be extended. I would not recommend it, for this reason: the more the period is extended, and the smaller the payments, the greater will be the bait held out to the smaller tenants to buy on the landlords' terms. I know that on the Duke of Leinster's estates, Lord Waterford's estates, and other estates in which I am deeply interested, there is a feeling in favour of a term of 69 years, and I know this will be an additional inducement to tenants to come to terms with their landlords. I do not advise that now; later on, perhaps, matters may be regarded in a different light upon the general policy of purchase. We may now fairly ask that we shall have laid down and placed before us the exact principles upon which the Land Commissioners will work, and we can have no better guide than the result of the purchases by the Waterford tenants.

(5.12.) THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): I will first refer to the matters raised by the hon. Member for Waterford and the hon. and learned Member who has just spoken. I am asked to lay upon the Table a copy of the Judgment of Mr. Lynch in a certain case——

MR. T. M. HEALY: Two Judgments.

MR. A. J. BALFOUR: In certain cases connected with sales of Lord Waterford's property. Well, I will at once inquire from Mr. Lynch if any authentic report of his Judgment exists, and I shall be happy to lay a copy on the Table of the House for the convenience of hon. Members who may wish through this means to make themselves acquainted with the methods adopted by the Commission in settling the terms upon which purchases have been effected. The hon. and learned Member for Longford (Mr. T. M. Healy) seems to agree with the hon. Member for Waterford (Mr. P. J. Power) in thinking that there was some undue profit given to Lord Waterford by permitting him to buy back land which had previously been sold to a tenant, subject, of course, to the annuity placed on the land by the process of sale. Well, if Lord Waterford gained by the transaction, it is evident that the terms were good upon which he sold to the tenant. He will not be able to sub-let without the consent of the Commissioners; and if Lord Waterford buys back the land, subject to the sale annuity, the tenant would pay, and, subject to the unavoidable difficulties of cultivation by the landlord, it conclusively proves that the tenant to whom the sale was effected must have had an uncommonly good bargain.

Mr. T. M. HEALY : He captured the tenants' interest.

Mr. A. J. BALFOUR : But I do not understand, so far as the facts have been laid before us, that there are any grounds for supposing this was a hard case for the tenant. We are informed that the sale was effected at 18 years' purchase, and, so far as my mental arithmetic goes, it will be found that involves a reduction in the previous rent paid by the tenant of 28 per cent. Now, I do not think the payment of rent reduced by 28 per cent. can be regarded as excessively hard upon the man who pays it. The hon. Member for Waterford (Mr. P. J. Power) pressed upon me the desirability of acceding to the terms of the Petition he read to the House, and of extending the term over which the payment is required from 49 to 69 years. The hon. Member for Longford objects to that proposal, and I agree with his objection ; and, other terms of purchase being fairly settled, my own view is that the period of repayment should be adhered to. It will be noted by the House that I have no power to interfere. Nothing but legislation can effect the change, and I am sure the House will pause for a long time before making the alteration. Then the hon. Member for Clare (Mr. Cox) asks me to lay upon the Table the Reports of the two engineers in relation to such public works as are intended to be undertaken in the West of Ireland. These Reports are not, I think, of a character to be safely laid upon the Table, because they do not give a list of the works actually going to be executed; they consist of plans and observations on possible works that might, should necessity arise, be undertaken. It would be inexpedient to raise false hopes by detailing a large number of works only some of which, should necessity arise, are ever likely to be carried out. The hon. Member for Elgin (Mr. Keay) asks if I will lay on the Table a full table showing the financial scheme of Purchase Bill No. 1. My right hon. Friend the Chancellor of the Exchequer stated earlier in to-day's proceedings that he would consult with me and endeavour to lay such a table before the House, and the hon. Member may be assured that the pledge so given will be fulfilled. We will do everything we can to make the working of the scheme perfectly clear to every hon. Member. I think I have dealt with all the points that have been raised.

(5.18.) Mr. SYDNEY BUXTON (Tower Hamlets, Poplar) : The Scotch Bill, so far as I can learn, seems to be a very suitable Bill to put down for the first business on re-assembling after Christmas, for the reason that it seems to have little interest to Members generally. But my object in rising is to try to extract from the First Lord of the Treasury a promise that he will show some respect to private Members' nights. During this extra Sitting we gave up our time to the Government in order that this ante-Christmas Session might come to an end as early as possible. But now I hope we may look forward to our Tuesdays and Fridays, and I hope we may have some assurance from the Government that our nights on those days will be respected. It is rather hard, after we have obtained an opportunity in the Ballot, carefully prepared our subject, and secured the assistance of our friends to keep a House, that we should suddenly have our opportunity taken from us at a very few days' notice. I hope also that when the Government do consider themselves under the necessity of asking for a larger share of the time of the House, they will take the whole of one private Members' night, and not as they did last Session—institute Morning Sittings at an early period, thus practically depriving private Members of both opportunities. As the right hon. Gentleman knows, after a Morning Sitting devoted to Government business, it is almost impossible to make a House at 9 o'clock except for a subject of the greatest interest. So far as I am concerned as a private Member, I desire to retain one night; and if the right hon. Gentleman finds he must infringe upon our time, let him lay hold of the whole of one of the nights—Tuesday or Friday—and leave us the other. I think we may fairly claim so much consideration having regard to the spirit we have all shown during the Sittings of the last few days, assisting the Government to make extraordinary progress with their Bills. The Government might, I think, reciprocate by some concession to the rights and privileges of private Members.

(5.22.) DR. TANNER (Cork Co., Mid): I regret that the Chief Secretary is not now in his place, but I am glad to see the Attorney General for Ireland there, for I take advantage of the Motion now before the House to try and get some assurance in regard to two or three public works within my own constituency. I refer to the three light railway works mainly promoted by private enterprise, and in the present lamentable condition of affairs I trust we may have a full assurance that every possible assistance will be given towards the promotion of these works. Also I would invite an expression of opinion in regard to the lamentable condition of the poor in the Schull Union, upon which many representations have been made. Immediate action is necessary; the state of affairs does not admit of delay. The district is not within my own constituency; its Representative is absent through ill-health. Further—and I am putting these matters briefly as thus being more likely to get a satisfactory reply—I would ask that attention should be paid to the representations of Father O'Connor, the parish priest of Achill, as to the starving condition of the poor people there, and that the Government should provide some means of employment and assistance for this population.

(5.24.) THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): In reference to what has fallen from the hon. Member who has just spoken, I have to say that my right hon. Friend and Her Majesty's Government are fully cognisant of their duty and responsibilities in the matters the hon. Member has alluded to. The hon. Member for Poplar (Mr. Sydney Buxton) has asked me to give a pledge in regard to private Members' nights, such as I think it would be scarcely prudent for me now to give. It is a very serious thing to give such pledges. We have the greatest possible regard for the privileges of private Members, and I desire that they should exercise those privileges to the fullest extent. Hon. Members have it in their power to give to the Government all the time that is considered necessary by facilitating the progress of Government measures, and by assisting the Government to pass those measures into law. If hon. Members opposite will assist the Government to the same extent as no doubt they have done in the course of the present Session, there will be little occasion to interfere with the privileges of private Members on the resumption of the Sittings after the holidays, but the hon. Member cannot expect me to make any engagement which would prevent the Government from carrying forward their own measures with reasonable speed. The right hon. Gentleman the Member for Berwickshire (Mr. Marjoribanks) objects to the consideration of the Scotch Legislation Bill being appointed as the first business when we renew our Sittings, and I am always placed in a position of difficulty when these objections are urged—one portion of the House desiring progress should be made in one direction, other Members in another. Unfortunately, it is not in my power, much as I should like to do so, to meet the desire of every individual Member, but I may remind the right hon. Gentleman that the Government are only going to advance the Scotch Private Legislation Bill to the stage at which the other

Bills in the programme of the Government have arrived. We want to get the Bill into Committee, and it will then take its place among our other Bills. The right hon. Gentleman says he and other Members concerned have no objection on principle to the measure, and it is the principle that has to be considered on the Motion for Second Reading. It is not a measure of the first importance, but it is one whose adoption has been urged on the House many times by hon. Gentlemen from Scotland. The Government, therefore, feel bound to make an effort in the course of the present Session to pass the Bill; and I think that, on the whole, I am consulting the convenience of hon. Members and the interest of the measure by asking the House to proceed with its consideration on the re-assembling of Parliament. As the right hon. Gentleman approves of the principle of the measure, he need not be put to the inconvenience of attending on that day. The hon. Member for East Aberdeenshire (Mr. Esslemont) has referred to the Scotch Burgh and Police Bill, and the Government have received information from the hon. Member for Kirkcaldy that if every clause of the 571 the Bill contains, to which he takes exception, were omitted, then there would be no objection to it.

Sir G. CAMPBELL: I beg pardon; that is not what I said. I said that if the Bill were made permissive like the other Bill I would withdraw my opposition.

Mr. W. H. SMITH: I hope that the hon. Member for Kirkcaldy and the one or two other Members from Scotland who object to the Bill may be influenced by their colleagues not to avail themselves of the power of obstructing this measure of great domestic interest and importance, so that it may pass into law during the present Session. If hon. Members from Scotland will come to an understanding with one another upon the subject, the Government will certainly afford them an opportunity of passing the measure, giving them that benevolent assistance which is asked for. The Bill has been before the House several times, and has been received on a previous occasion almost without opposition. It ought not to be met by obstruction, which would prevent progress being made not only with that, but with other important measures. I trust that now the House may be able to adjourn, and that we shall meet again in January determined to do our business as well and as efficiently as possible.

Question put, and agreed to.

LAND DEPARTMENT (IRELAND) [SALARIES, &c.]

Committee to consider of authorising the payment, out of the Consolidated Fund, of the salaries, pensions, and superannuation allowances of the Land Commissioners, and the payment out of monies to be provided by Parliament of the salaries, remuneration, and superannuation allowances of the officers of the Land Department, and of the expenses of carrying into effect any Act of the present Session to constitute a Land Department, and to amend the Laws relating to the Purchase of Land in Ireland (Queen's Recommendation signified), upon Thursday, 22nd January.

House adjourned at twenty minutes before Six o'clock till Thursday, 22nd January.

HOUSE OF LORDS,

Monday, 15th December, 1890.

APPEAL COMMITTEE.

Moved, That the Lord Chancellor be appointed to take the Chair in the Appeal Committee this day in the absence of the Earl of Morley.—(*The Lord Watson.*)

Motion agreed to.

House adjourned during pleasure.

House resumed.

APPEAL COMMITTEE.

First Report from; read, and agreed to.

House adjourned at a quarter past Five o'clock, to Thursday the 22nd of January next, a quarter past Four o'clock.

by Contract with H.M.'s Government. An Asterisk at the commencement of a Speech indicates revision by the Member.

HOUSE OF LORDS,

Thursday, 22nd January, 1891.

NEW PEERS.

The Right Honourable Sir Francis Richard Sandford, K.C.B., having been created Baron Sandford, of Sandford in the county of Salop—Was (in the usual manner) introduced.

Sir Edward Cecil Guinness, Baronet, having been created Baron Iveagh, of Iveagh in the county of Down—Was (in the usual manner) introduced.

The Lord Carrington—Took the oath.

TRAMWAYS ORDER IN COUNCIL (IRELAND) (ATHENRY AND TUAM RAILWAY) BILL.

Brought from the Commons; read 1ª; and to be printed. (No. 19.)

BUSINESS OF THE HOUSE.

EARL **GRANVILLE**: My Lords, I take the liberty of asking the noble Marquess whether he can give us any information with regard to the course which is to be adopted in dealing with the business which is likely to come before us.

THE **PRIME MINISTER** AND **SECRETARY** OF **STATE** FOR **FOREIGN AFFAIRS** (The Marquess of SALISBURY): I imagine that the course of business in your Lordships' House will depend very much, as in former years, on the action of the other House of Parliament. There are two important Bills now before the other House which are, I think, likely to be here beforelong. They are the Bill dealing with the tithes—which has been a good deal altered since it was before your Lordships last—and a Bill affecting Scotch Private Business. I have not looked at the Notice Paper, and I do not know what the Notices are; but there is one subject to which I shall have to call the early attention of your Lordships, and that is the question of Standing Committees. I think it is admitted that these Committees have done great good. They have insured the examination not only of the wording and the machinery of Bills, but also of details in which principles are very often involved, and which might be otherwise overlooked. But there has been some question as to the precise arrangement of these Committees in regard to the examination of details which it is desirable should be investigated, and for that purpose I propose to move for a Select Committee of the House to examine into the Standing Orders, and to recommend any changes that may seem desirable. With respect to the further business of the House, I would rather wait to see what other measures are proposed before I reply more particularly to the noble Earl.

CHILDREN'S LIFE INSURANCE BILL.

[H.L.]—(No. 16.)

SECOND READING.

Order of the Day for the Second Reading, read.

THE BISHOP OF **PETERBOROUGH**: In asking your Lordships to be good enough to give a Second Reading to this Bill, I must trouble you with a very few words of explanation. Your Lordships will, doubtless, remember that last year you gave a Second Reading to this Bill, and afterwards referred it to a Select Committee to take evidence and report thereon to the House. The end of the Session came before the Committee were able to report, and it of course put an end both to the Bill and to the Committee. It is, therefore, necessary that the Bill should be re-introduced as a matter of form, in order that they may complete their work. This, my Lords, is precisely the same measurethat was introduced by me last Session. I think it right to state, however, that it contains the 2nd clause of the Bill of last Session, commonly known as the "undertaker's clause," and it does so although the Committee resolved that the Bill should be amended by omitting that clause. The reason for its inclusion is not that I desire in the very least the re-enactment of this clause—in point of fact, I was the first in the Committee to move its omission; but having moved its omission, I had no right, until the Committee had finally reported the Bill as amended to your Lordships' House, on my own authority to amend the measure. I therefore feel myself bound to re-introduce the Bill in the same form in which it was presented to your Lordships last year; but, of course, the Resolution to which the Committee came to omit the 2nd clause will take effect when the Bill is reported with Amendments to the House. I thought it necessary to offer this explanation in order to prevent misapprehension out of doors as to the omission of this particular clause, which excited a good deal of opposition, and if it had appeared now without this explanation which I have given your Lordships it might have created misapprehension. I venture, after this explanation, to ask your Lordships to read this Bill a second time, and that it may then be referred to a Select Committee of this House to receive evidence thereon, and to report the Bill with Amendments.

Bill read 2ª (according to order) and referred to a Select Committee.

The Bishop of PETERBOROUGH: I beg to give notice that to-morrow I shall move the names recommended for the Select Committee.

House adjourned at ten minutes before Five o'clock, till To-morrow, a quarter past Four o'clock.

HOUSE OF COMMONS,

Thursday, 22nd January, 1891.

NOTICE OF MOTION.

IRISH ADMINISTRATION.

Mr. PARNELL (Cork): I beg to give notice that on an early day I shall call attention to the administration of the Crimes Act in Ireland, and move a Resolution. I may add that to-morrow I shall ask the leader of the House if he will afford early facilities for discussing the Motion.

QUESTIONS.

HOUSE OF COMMONS SESSIONAL PAPERS.

Mr. KNOWLES (Salford, W.): I beg to ask the Secretary to the Treasury if he can arrange that the Annual Index of the Sessional Papers of the House of Commons shall be so compiled as to include year by year references to all Papers published since the preceding Decennial Index?

*The SECRETARY to the TREASURY (Mr. Jackson, Leeds, N.): I have made inquiry of the officers concerned, and I think it will be possible to give what my hon. Friend desires.

IRISH NATIONAL EDUCATION.

Mr. DONAL SULLIVAN (Westmeath, S.): I beg to ask the Attorney General for Ireland whether the two teachers who were summoned by the Commissioners of Irish National Education to the July Examination of 1889, as candidates for promotion, and who attended and passed that examination, and whose promotion was deferred, or withheld, have yet been promoted; and, if not, when will they receive the promotion to which their answering at that examination entitled them?

*The ATTORNEY GENERAL for IRELAND (Mr. Madden, Dublin University): The Commissioners of National Education report that the claims of both teachers have received careful consideration. One of the teachers has been promoted; the other, owing to want of success in school keeping, could not be promoted.

SAVINGS BANK CLERKS.

Mr. PICKERSGILL (Bethnal Green, S.W.): I beg to ask the Secretary to the Treasury whether two Orders in Council relating to the Civil Service were issued on the 15th August last, only one of which was duly published in the *London Gazette;* whether the unpublished Order gave special powers to the Postmaster General to place a large number of clerks of the second class in the Savings Bank Department in the Second Division of the Service without their consent; whether the Postmaster General has since availed himself of these powers, notwithstanding the reported protests of the majority of the clerks in question; whether the Treasury was fully informed by the Postmaster General of the objections entertained by these officers to being reduced in rank; whether he will take steps to enable them to regain the rank of which they have been deprived after many years' service; and whether he will give an assurance that all future Orders in Council relating to the Civil Service shall be published in the *Gazette* in accordance with the usual practice?

*MR. JACKSON: Some of the questions relate to matters not strictly within my Department, but I am informed that of the two Orders in Council of August 15, the one relating to the Civil Service generally only was published. In answer to the second question, the other Order in Council did authorise the Postmaster General, with the consent of the Treasury, to transfer certain clerks to the Second Division, but secured to each officer that he should not suffer in respect of increment, pension, holidays, or allowances. The Postmaster General has availed himself of the power given. I have no official knowledge as regards the protests to which the hon. Member alludes. I see no reason for further Treasury interference, and I do not think that the large body of gentlemen who form the great Second Division of the Civil Service, as now constituted, will agree with the hon. Member that their division ranks below the comparatively small and expiring class to which the question refers. I think it unnecessary to give an assurance under which all Orders in Council, however unimportant, would be published; but I see no reason why, speaking generally, all Orders of importance should not be published.

THE LATE DUKE OF BEDFORD.

MR. COBB (Warwick, S.E., Rugby): I beg to ask the Home Secretary a question of which I have given him private notice, and which I hope he will be able to answer at once. It is, whether it is true, as stated in the London Press, that a Coroner's inquiry was held into the circumstances attending the death of the late Duke of Bedford; whether it is the custom in these cases to give notice to the police of the holding of such inquiry; if it was done in this case; whether the right hon. Gentleman will obtain full information of the Coroner of this case being treated different from any other case; and as to the secret nature of the inquiry?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): I must ask the hon. Gentleman, if he desires an accurate answer, to be good enough to postpone this question until to-morrow. I have only just reached town.

RAILWAY SERVANTS—HOURS OF LABOUR.

MR. LENG (Dundee): I beg to ask the President of the Board of Trade, in accordance with private notice, whether he is aware that, according to the latest Parliamentary Returns, there are 16 railways in the United Kingdom on which in March, 1890, there were 6,171 goods guards and 22,332 engine-drivers and firemen on duty more than 12 hours at a time, the average percentage of the goods guards to the total number employed being 74, and of the engine-drivers and firemen 84·61; whether in varying percentages on those railways guards, firemen, and engine-drivers, after being on duty more than 12 hours, were allowed to resume duty with less than 12 hours' rest; and whether, under existing legislation, the Board of Trade has any power to intervene for the safety of the public to prevent men in charge of railway trains being employed more than 12 hours at a time, and re-employed without sufficient intervals of rest?

*THE PRESIDENT OF THE BOARD OF TRADE (Sir M. HICKS BEACH, Bristol, W.): The hon. Member's question does not appear on the Paper, but I shall be happy to answer it, as he has given me private notice of it. The figures in the first paragraph of the hon. Member's question are correctly quoted from the Return, but are calculated to give a wrong impression, which I desire to prevent. The number of guards, engine-drivers, and firemen set out in the Return as on duty for more than 12 hours at a time refers to the number of such men on duty in one or more instances during the month. The question might be held to imply that they were on duty habitually or regularly, which is not the case. The answer to the second paragraph is "Yes," but the percentages vary down to *nil.* With regard to the third paragraph, the Board of Trade have no power to interfere with the responsibility of the Railway Companies for the working of their lines in this matter.

MR. BUCHANAN (Edinburgh, W.): May I ask whether the right hon. Gentleman has received a Memorial from the Town Council of Edinburgh bearing upon this subject?

*SIR M. HICKS BEACH: I have received no notice of this question, and I cannot off-hand say whether that Memorial has been received or not, but similar Memorials have been received from more than one quarter. I think they have been sent in ignorance of the fact that the Board of Trade has absolutely no power to interfere.

BUSINESS OF THE HOUSE.

MR. LABOUCHERE (Northampton): I wish to ask the First Lord of the Treasury whether it is in accordance with the promise which he gave before the adjournment for the holidays that any Orders of the Day should precede that for the Second Reading of the Private Bill Procedure (Scotland) Bill?

*THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): There is no intention of taking the Purchase of Land and Congested Districts (Advances,&c.) Bill and the Land Department, Ireland (Salaries, &c.) Bill to-night. They have been put down simply as a matter of form. We shall proceed as arranged with the third Order—the Private Bill Procedure (Scotland) Bill.

THE TITHES BILL.

SIR J. SWINBURNE (Staffordshire, Lichfield): May I ask what is the earliest day on which the Tithes Bill will be taken?

*MR. W. H. SMITH: It will be taken next after the Bill now before the House.

SUPREME COURT OF JUDICATURE (IRELAND).

Copy ordered—

"Of Account of the Receipts and Payments of the Accountant General of the Supreme Court of Judicature in Ireland, in respect of the Funds of Suitors in the said Court, in the year to the 30th day of September, 1890; together with a Statement of Liabilities and Assets, and particulars of Securities in Court on the 30th day of September, 1890."—(*Mr. Jackson.*)

Copy presented accordingly; to lie upon the Table, and to be printed. [No. 38.]

CIVIL CONTINGENCIES FUND, 1889-90.

Copy ordered—

"Of Accounts showing—

"1. The Receipts and Payments in connection with the Fund in the year ended the 31st day of March, 1890;

"2. The Distribution of the Capital of the Fund at the commencement and close of the year;

"Together with the Correspondence with the Controller and Auditor General thereon."—(*Mr. Jackson.*)

Copy presented accordingly; to lie upon the Table, and to be printed. [No. 39.]

WRIT ISSUED DURING THE ADJOURNMENT.

MR. SPEAKER acquainted the House that he had issued, during the Adjournment, a Warrant for a New Writ for Hartlepool, in the room of Thomas Richardson, esquire, deceased.

NEW MEMBER SWORN.

Sir John Pope Hennessy, for the County of Kilkenny (North Kilkenny Division).

MOTION.

MAIL SHIPS BILL.

On Motion of Sir James Fergusson, Bill to enable Her Majesty in Council to carry into effect Conventions which may be made with Foreign Countries respecting Ships engaged in Postal Service, ordered to be brought in by Sir James Fergusson and Mr. Attorney General.

Bill presented, and read first time. [Bill 153.]

ORDERS OF THE DAY.

PRIVATE BILL PROCEDURE (SCOTLAND) BILL.—(No. 114.)

SECOND READING.

Order for Second Reading read.

(3.45.) THE LORD ADVOCATE (Mr. J. P. B. ROBERTSON, Bute): I beg to move the Second Reading of this Bill. The subject with which it deals is one which has been before the House for a number of years, and three years ago a Joint Committee of both Houses was appointed to examine into the system of Private Bill legislation. The Report of the Joint Committee was in favour of the devolution upon a Commission of the duties relating to Private Bills that are at present performed by Committees of both Houses of Parliament; and that is one of the essential features of the Bill I have now the honour to move. The Bill now before the House, it is true, relates to Scotland only, but the subject has excited more interest in Scotland than in any other part of the United Kingdom, and probably because in the main the inconvenience of the present system has been more acutely felt in Scotland than in any other part of the Kingdom. It is right to add that a certain amount of national sentiment has been, I think most legitimately and appropriately, infused into the consideration of this question, but in the main the question has been treated as a business one. It is a most remarkable fact, and one quite undeniable, that the chief support which this Bill has received in Scotland has been derived from those Municipal and Mercantile Bodies which are most largely interested in the efficient working of Private Bill legislation. I may add that the sincerity of the support by which the Bill has been backed in Scotland is to a certain extent tested by the ready renunciation that has been made of all those expeditions to London which have been one of the least disagreeable incidents of the existing system. I believe there are three main reasons on which the objections to the present system are founded, and in favour of such a change as is embodied in this Bill. In the first place, to quote the language of the Reference to the Joint Committee upstairs—

> "The inconvenience to the suitors has pointed strongly towards local inquiry as being the best method of informing Parliament on the facts of these questions."

It is indisputable that there is an immense amount of time lost by those who are compelled to come to Westminster for the prosecution of, or resistance to, such measures; time which, in the case of many of the Scotch local public men, is of great value, not only to themselves, but to those whom they represent. It is also, I think, demonstrable that a large amount of unnecessary expense is caused by the continuance of the present system, and that in a material sense a reduction of expenditure, and more particularly of that kind of expenditure which is least profitable, may be effected by the proposed change. In referring to the characteristics of the present system, I think it right to say one word of due tribute to those who, in the main, have carried it on. I hope that no one will consider that any reflection is passed by the proposed change, or by any arguments advanced in support of it, upon those Members of Parliament, and especially upon those Chairmen of Committees, who have done most valuable public service in their conduct of Scotch Private Bill legislation. If I cannot altogether disarm opposition, I hope to be able to place the controversy entirely free from any matter of personal reflection, and to say that the country is sensible of the exceeding ability and skill with which the professional men engaged in the Parliamentary Committee Rooms have done their part; and if I do not dwell upon that subject more in detail it is because I find that I have been relieved from the necessity of sounding their praises, because I observe in the public Press that there is a running comment going on in eulogy of the present system, and of the way in which the duties have been discharged. But it is not to disparage those concerned in the present arrangements to say that there are inherent defects in the present system of investigation at Westminster of what are purely local questions which are unavoidable, and which do not arise from deficiencies on the part of the instruments of that system. These questions are local questions, and an inquiry at Westminster must necessarily be deficient in that accurate and definite understanding of such local questions, which could only be obtained upon the spot. There is another feature which cannot escape observation — namely, that there have been observable in Committees of both Houses of Parliament—and, if I may say so, perhaps more observable in those which this House has the appointment of—certain inevitable weaknesses. It is impossible to avoid recognising that the enormously increasing labours which are imposed upon Members of this House diminish the efficiency of the work which is conducted upstairs. There has been most impressive evidence given by various distinguished Members of the House of the exceeding difficulty of constituting Committees so as to efficiently cope with practical and difficult questions of detail. Side by side with that, it has been forced upon the attention of all who have investigated the subject that a double inquiry of the two Houses imposes a great burden upon applicants for Parliamentary powers, and it introduces an additional element of uncertainty and protracted inquiry which ought, if possible, to be avoided. In addition to the expense, the double inquiry has the effect of preventing many useful but comparatively small schemes from being brought forward. There is a third reason in favour of the proposed transfer of jurisdiction which I ought to mention and which probably I ought to have brought forward at first, because it affects the primary duties of this House. It is that unquestionably the long hours of sitting here and the close attention required of Members of the Committees renders the life of a Member of this House so laborious as to be almost intolerable. I have had the advantage of speaking to several Members of the House who are conversant with the subject, particularly with the right hon. Gentleman the Member for Newcastle (Mr. J. Morley), who was a Member of the Joint Committee. The right hon. Gentleman concurs with the result I have arrived at, and sympathises with the reasons to which I have briefly referred. When I turn to the various alternative remedies which have been suggested for relieving suitors and Members of Parliament, I find that there are insuperable objections to them. In the first place, it has been suggested that the system of Parliamentary Committees might be continued as a means of inquiry into local facts by giving such Committees power to sit locally. It is further said that there might also be a system of Joint Committees of both Houses, which would avoid the expense and delay of a double inquiry, and that such Joint Committees might have power to sit locally. But even if that remedy were practicable—owing to Parliamentary considerations—it would not meet all the objections which have been raised to the present system. I will not dwell upon that proposal, however, because I think that anyone who is conversant with life in this House and with the proceedings of the other House will say that it is hardly conceivable that a Peripatetic Committee, consisting of four or five trained Members of both Houses—inasmuch as the whole strength of such a Committee would lie in its Parliamentary qualities—could conduct such inquiries without the assistance of some permanent element in the tribunal, because the absence of one or more of them might bring the local inquiry prematurely to an end. Another suggestion that has been made is more ambitious, but has even more fatal defects. It is said that the House ought to go further in this method of devolution, and should confer upon Local Bodies the power of dealing with these questions. I have seen that suggestion described as being a mere extension of the Provisional Order system, but I should like the House to observe that these very Local Bodies to whom the power of determining these questions is to be given are in the great majority of cases themselves the promoters of the measures which they would be called upon to approve or disapprove of. Take the case of a Town Council or of a County Council. What is the reason that it has to come to Parliament at all? It is because a Bill is necessarily an encroachment upon private rights, and Parliament has to determine in what respect private rights are to yield to local convenience. It may be said that you might give a right to the Secretary of State for Scotland to exercise a veto in such circumstances, but that would be a strong course, which has never yet been adopted. I do not think, therefore, that the difficulty in such cases would be overcome by giving a right of appeal to the Secretary of State for Scotland. The Joint Committee reported in favour of the appointment of a Commission, and there remains the most interesting and important question as to what is to be the relation between the Commission and Parliament. I think the proposal of the Government may be shortly stated as the substitution of the Commission for the Parliamentary Committees of the two Houses. Each House would retain its judgment on the scheme, and deal with the Report of the Commission as they would have dealt with the Report of the Committee of the House. The Commission would, however, have this virtue—that each House should rely on the same Report of the Commission. It has been suggested by some of those who have considered the question, and by some whose suggestions on any subject of that kind are entitled to respect, that the Government might go even further, and that the House should not merely part with the control of the Committee upstairs, but with the Second and Third Readings of Private Bills as well, and that all the control vested in the two Houses should be the right of vetoing any scheme approved by the Commission. On that subject I will only say that it would be a very strong measure in the way of divesting Parliament of its control, and would be a most important interference with the ordinary law. The suggestion has by no means escaped the attention of the Government, but our view is that the better plan would be to substitute the Commission for the Committees as an instrument for investigating facts for each House. In the first place, it is proposed that the Commission should sit in the locality affected by the scheme, and for that purpose they would have the fullest powers of determining the place of sitting, which should be as near the locality as convenience would allow, in order that the Commission might see the state of matters which is to be the subject of the inquiry. In the second place, it is proposed that the Commission should sit out of as well as during the Parliamentary Session. Thirdly, it would sit *de die in diem.* The Government have had the strongest representations as to the exceeding inconvenience of the state of congestion in the Committee Rooms upstairs. This falls most hardly on the Scotch people, because they are furthest from their homes, and therefore less able to go away and come back again as business is taken up. I come next to a very difficult question, namely, what should be the constitution of the Commission? If we had an absolutely free hand, if money were no consideration, and if the House were prepared to establish an exceedingly strong Commission to do this work, we ought to have four or five very highly-paid Commissioners. But it must be remembered that the amount of such work to be done in Scotland is not so great as to justify or require such an expensive Commission, although it is important and complex enough to make that a question of high importance. The right hon. Gentleman the Chairman of Ways and Means has moved for a Return of the number of Bills, in order to ascertain whether the number of Bills is sufficiently large and the subjects of such high importance as to supply continuous work for such a Commission as I have described. I desire to disclaim on the part of the Government, and on my own part, any intention to make it a legal tribunal. I think it ought not to be a legal tribunal, and I will go further, and say that I think the lay element ought to preponderate in such a tribunal. I think there are qualities not always in favour among lawyers which are invaluable in the conduct of this kind of business, but that doctrine must not be overstated. For the work of the Commission some legal qualities are certainly desirable, and I can express what I mean by very authoritative words. Sir Erskine May says that Parliament in passing Private Bills has always retained the mixed judicial and legislative functions of ancient times. That is a correct and felicitous mode of stating the case. The legal element is useful in dealing with evidence and marshalling facts, and ascertaining their net result. I do not suppose any layman will deny that a trained lawyer, other things being equal, is better equipped for this department of the subject than anyone else who has not had that training. But there are other qualities quite as indispensable. There must be business capacity, a knowledge of the great business concerns which are the subject-matter of these inquiries, and I may add that I think there ought to be knowledge of and sympathy with the common-sense view which the public take on such matters. It is also exceedingly desirable that the political and Parliamentary view of such questions should be represented on the Commission. It is well that the inquiry itself should be carried on in accordance with the judgment which would ultimately be pronounced upon the result. I have stated these considerations somewhat abstractly. The proposals of the Government are—first, that a Scotch Judge should be a member of the Commission, and in order that he may be a Judge acquainted with this kind of affairs we propose the Judge who at present sits on the Railway Commission for Scotland. The second member should be one of the lay Railway Commissioners. The third should be a Member of Parliament selected by the Committee of Selection, and the fourth should be some able, capable, and experienced Scotchman, to be selected by some impartial authority on account of his fitness for this kind of work. The question is, who is to find that man out? It has been said he ought to be appointed by the Secretary for Scotland; but I can conjecture what would have been said on the other side if that suggestion had come from the Government. The Government think the Scotch Judges are removed from all suspicions of interest or partiality, and that their experience and position fit them for finding out who is the best qualified for that kind of work. I have already said it never was the intention of the Government that that member should be a lawyer. This proposal has been much criticised, but I do not think the grounds of the criticism are sound, and I would not be at all surprised if, when the rival schemes come to be examined, that of the Government is found to be the best after all. Various alternative suggestions have been made. One which deserves attention is that, considering there is a Member of the House of Commons on the Commission, there should be also a Member of the House of Lords appointed by the Committee of Selection of that House. That is a proposal which I know finds favour in many of the commercial centres of Scotland, probably because the House of Lords' Committees have been distinguished by the exceedingly able and impartial carrying out of their duties. Upon that, as upon all the details of the Bill, I desire to say that in the Select Committee we shall approach with an open mind the consideration of all this group of questions upon which there ought to be no prejudices on one side or the other, and upon which the right selection should be made upon business grounds alone. There remains the question, what Bills are to go before the Commission? The expression used in the Bill is, "Private Bills relating to Scotland," but the Chairman would have to consider whether the Bill relates exclusively to Scotland, and if it does not, it would have to go through the Committees of both Houses. What should be done with Bills which relate to Scotland, but also relate primarily to England, is one of the difficulties of the situation. But, at the same time, it merely creates a certain diminution from the amount of work which the more ardent partisans of local inquiry might desire to see brought into Scotland. I think that this is one of the inherent difficulties of the question, and not an objection to be urged against the Bill itself. Many may desire to carry this principle further, but as long as we have the separation of the two countries in this respect we cannot expect that Scotland should sweep in English concerns any more than an English tribunal could sweep in Scottish concerns. That, however, is a subject to which I have no doubt ingenuity will be applied. With regard to the future stages of the Bill, I have given notice that I will move that the Bill, after Second Reading, should be referred to a Select Committee, which I hope will, to a large extent, be composed of Scottish Members. It is a subject primarily relating to Scottish matters exclusively, and one on which I hope to have the frank opinion and also, I hope, the strong support of Scottish Members. When, in 1889, the Government took up this subject, they did so in response to what I believe was a genuine Scottish demand, and I now propose this Bill in the same spirit and on the same grounds. We rely on the reiterated and strongly-expressed opinion of Scotland on this subject. I and my colleagues have received deputations on the subject, which showed by their composition that this is not a measure confined to any section of the community, either in a political, social, or professional sense. It is a subject upon which convictions have matured during the discussions of the last few years, and the future of this Bill must necessarily depend on the cordiality with which Scottish Members respond to the strongly-expressed opinion of Scotland. If the Government receive the same amount of support in this House as has been expressed in Scotland, I believe that the Bill will rapidly be placed upon the Statute Book, and will constitute a great improvement in Private Bill procedure with regard to Scotland.

I beg to move the Second Reading of the Bill.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*The Lord Advocate.*)

*(4.20.) MR. CAMPBELL-BANNERMAN (Stirling, &c.): The right hon. Gentleman has expressed with his usual clearness the motives of the Government in bringing in this Bill, and, for my own part, I think I shall best explain the position which I assume on this matter by saying at once that I will conclude my observations by moving as an Amendment—

> "That the subjects dealt with in Private Bill legislation ought not to be remitted for inquiry to a Commission until it has been shown to be impracticable to remedy the evils now complained of by amending the present system of inquiry by Parliament, and by extending the powers of Municipal Authorities in counties and burghs."

Now, Mr. Speaker, I would beg to remind the House that this is not exclusively a Scotch question. In its Scotch bearings alone it is a very large and important question, but, besides that, it embodies a totally new departure from old lines on the part of Parliament, and it may also in future years be applied to the branch of public business as well as that of private business. I hope, therefore, that other Members besides Scotch Members, who may take a different view of the matter, will join in the discussion. I may at once say that, at first sight, the Bill would seem to appeal to the sympathies of many of those who sit on this side of the House. It is a decentralising measure; it recognises the principle of nationality; it proposes that certain Scotch business should be disposed of at home in Scotland by Scotchmen, and it professes to be a devolution of the powers of Parliament. Those of us who are of opinion that a movement in the direction of what is known as Home Rule would be advantageous to the proper government of these countries may be expected to jump at these proposals, but I am afraid we shall find that there is only a false flavour of Home Rule about this measure. The first question which we must consider is, What is the nature of the business dealt with in this Bill? Private business which comes before Parliament may be roughly divided into two classes. First of all, there are all the schemes put forward by Municipal Authorities in the various localities in connection with water supply, gasworks, the extension of harbours, the widening of streets, the disposal of sewage, or any other municipal purpose for the health and convenience of the citizens. Such proposals constitute, I believe, about one-fourth of the mass of the private business coming before Parliament; the other three-fourths are made up of the more ambitious proposals of the great Railway and Canal Companies for the extension of works and lines. It is a remarkable fact that all the parties concerned in this second division have expressed themselves in the main as being perfectly satisfied with the tribunal which at present has the disposal of these matters. A great amount of evidence from Scotland was taken before the Committee of 1888, especially from those representing Corporations and Local Bodies in that country, but the evidence was almost entirely devoted to the first of these two classes of private business. The witnesses complained with earnestness, and, I admit, with a great amount of justice, of the serious impediments put in the way of local improvements owing to the cumbrous and costly system of having to appeal to Parliament for approval of every little proposal of this kind—impediments which in many cases absolutely prohibited Corporations from taking steps. That is, no doubt, a very substantial complaint; but I would venture to point out that all that class of business might be, if not entirely disposed of, at all events greatly reduced, if we had the courage to give Local Authorities full powers in this matter. Whatever may be said on the subject of such a proposal, it cannot be said that it has any Party flavour, because the Party opposite are proud—and justly proud—of having extended municipal government to counties in England and Scotland. As we have granted power to them, let us make use of those authorities and trust them, and give them powers to take land for these purposes. This would dispose of a large part of the grievances urged before the Committee of 1888, and local schemes which are of such magnitude that they could not be so dealt with could still come before Parliament. I now come to the question of expense. With regard to expense, the evidence given before the Committee of 1888 was very strong, especially with regard to the great expense involved in the inquiry being conducted in London, and witnesses having, therefore, to be brought there. I think, indeed, that witnesses are brought up to London in excessive numbers for any useful purpose; but, as a matter of fact, I believe that the expense of witnesses before Committees of the two Houses only amounts to one-tenth of the whole cost of the procedure. The real source of unnecessary expenditure is, in my opinion, in the high fees charged, and in the somewhat pedantic rules laid down with regard to the preliminary proceedings—with regard to originating notices, advertisement, &c. It is in that direction, and not in the mere carrying backwards and forwards of witnesses and their maintenance in London, that the real source of excessive expenditure is to be found. I think I have said enough to show what my opinion is as to the manner in which these municipal questions ought to be dealt with. I quite admit that when you come to Railway Bills you enter upon a totally different field. The promotion of great railway schemes is necessarily very costly, and although the cost primarily concerns the companies themselves and their shareholders, the public are no doubt more or less indirectly concerned in such schemes. But I believe the Railway Companies at least are satisfied that the expenses of a local inquiry would be greater than those of an inquiry in London—that the cost of taking expert witnesses to Scotland would be greater than that of bringing local witnesses up from Scotland. As to the proposed Commission, notwithstanding the somewhat open mind which the Lord Advocate has indicated on the subject, a good many of us on this side are directly opposed to that Commission as it is now proposed to be constituted. I wish to speak with every possible respect of the Judges of the Court of Session and of the Faculty of Advocates, and the other learned gentlemen who carry on so much of the business of Scotland in Edinburgh, but I would say that there is not throughout Scotland such universal confidence in their judgment and their capacity to meet the wishes of the public as would justify us in entrusting to them the appointment of members of such a Commission as this. The Lord Advocate said naturally enough that if it had been proposed that the appointed members of the Commission should be nominated by the Crown, there would have been some fear among us respecting the exercise of the Crown patronage. But whilst we do not wish to give more power to the Crown, we desire that, if this appointment is to be made at all, a Minister should be directly responsible for it to Parliament. This is the course followed in the Railway Traffic Act of two years ago, and it was the course followed in the rival scheme put before Parliament last year by some of my hon. Friends. What sort of man, I would ask, is the fourth Commissioner to be under the scheme of the Government? The Lord Advocate says he is not to be a lawyer. Is he to be a railway expert or an engineer, or is he to be merely a man in the street? I should have no confidence in a man appointed haphazard to such a position, and especially if he was chosen by Judges of the Court of Session. Disguise the fact as you may, the new Commission now suggested will be regarded in Scotland as nothing more than a new "Edinburgh Board"—as one of those bodies of which we have had too many already, in which are placed powers which ought rather to belong to the Representatives of the people, and which certainly do not enjoy that complete confidence in Scotland which is desirable in view of the important duties they have to perform. It is said the Board is to be peripatetic, and is not necessarily to meet in Edinburgh, but its head-quarters will be in Edinburgh, and I suspect it will be gradually stereotyped and crystallised into the forms which such Boards are wont to assume in Scotland. Why, after all, should we have any such tribunal? Why is Parliament to be called upon to part with its powers in these respects? Even a great Railway Bill involves public interests, and therefore it ought to be dealt with by the Representatives of the people unless it is found absolutely impracticable so to deal with it. But, in the first place, it must be proved to us that Parliament is incapable of discharging this duty. This is spoken of as a devolution of duty on the part of the House of Commons. My idea of devolution is that it means the parting with some of our powers to a body forming part of ourselves, or to a representative body subordinate to us. But the present proposal is not devolution, but dereliction—it is not delegation, but abnegation. Supposing the tribunal rejects the Preamble of a Bill of which the House has passed the Second Reading. In that case, it supersedes by its action the judgment of the House of Commons. It is a very serious matter, therefore, that we are considering. I believe that while there is a strong feeling in Scotland in favour of facilitating Private Bill legislation, and in favour of having it as much as possible transacted and conducted there, I do not believe it would be any great disappointment to Scottish feeling if the railway inquiries were still conducted in London, even if the costs are excessive. Then there are two things that may be done—there may be a simplication of forms, and we may have recourse to a method which has already been suggested, and that is of having a Joint Committee of the two Houses of Parliament, which would at once considerably reduce the total expenses. Many Members may not be aware that a Committee considered this question many years ago, and that then it was settled against the proposal of a Joint Committee only by the casting vote of the Chairman. It adds to the significance of that fact when I say that amongst those who supported the appointment of a Joint Committee at that time were the right hon. Gentleman the Member for Mid Lothian and the present Prime Minister. As to the expenses of the tribunal, we must remember this, that the present tribunal—the Committees of the House of Commons—is paid for and already exists. It is, in fact, in itself, if we leave out of sight the question of the fees exacted and the expenses of witnesses, and so forth, more economical to the public than any tribunal that could be created. If necessary, an inquiry might be held locally. I do not see any reason why we should not enlarge our ideas on that matter. It was pointed out to the Committee which sat on this subject that the whole of this business is greatly disturbed by the particular Rules of Parliament as to the business of each Session being dealt with in that individual Session, and also by the consideration of the days and hours upon which and at which the House of Commons sits. But surely we might extend our ideas in that respect, and I do not see why a Joint Committee should not conduct an inquiry locally if that course was thought desirable. Now I come to the last argument in favour of the Bill I shall deal with. If it could be supported, it would be a very strong argument—it is the relief that this proposal would give to the House of Commons and its Members. Every Member who hears me will admit that, so far as its Sittings for the disposal of Private Business are concerned, they occupy very little time. There is a considerable period of time at the beginning of each Sitting which is left unoccupied, in order that it may be devoted to Private Business; but the actual business done only occupies a few minutes, and it is only two or three times a Session that we have any discussion in the House on Private Business. I bow to the high authority of my right hon. Friend the Chairman of the Committee of Selection, who says he finds great difficulty in getting Members to sit on these Committees. I do not understand why that should be. There are always a large number of Members who are not employed on Select Committees, who are free to sit on Railway Committees, and who, as Members of Parliament, will have nothing to do except to come here and occasionally vote if this business is relegated to a Commission. I cannot imagine a more useful way of employing the time of these Members than by giving them this duty to perform, and they are chiefly men who are accustomed to semi-judicial duties elsewhere, and who might therefore be trusted to perform the duties pretty well. At any rate, we might reduce the number of Members on the Select Committees; and if the proposal for a Joint Committee of the two Houses was adopted, of course there would at once be considerable relief given. There is another point I wish to urge which is a formidable matter. At present a Bill is brought into this House and is referred to a Committee of Members of the

House. When they have come to their decision, the matter is sometimes brought up again in this House, but the House which trusts its Members is very unwilling to upset the deliberate judgment of the Committee. But now the House will part with the power of deciding an inquiry into the particular merits of the scheme. Does any hon. Gentleman suppose that, in the case of a great contested scheme, it will not be brought up again and again in the further course of the Bill through the House of Commons? And as the members of the Commission will not be here, except one unfortunate member, to give the reasons or state any of the facts which led to the determination of the matter, the House will be left to be guided in these questions either by Party considerations or random considerations of one kind or another not perhaps directly affecting the merits of the scheme. Any proposal of this kind, so far from saving the time of the House, will largely encroach upon the time of the House, and questions of that kind will be made more and more political, which is extremely inadvisable. On all these grounds I ask the House to proceed with extreme caution in this matter. I began by reminding the House that this is not a Scotch question —it affects England and Ireland as well as Scotland. Whatever principle we assent to in this Bill must be applied to England and Ireland afterwards. I go further, and I ask the Government why they deal with Scotland alone? because if you are to accept the principle of the measure, if you are to part with your powers in the way that is suggested, it can be much better done, and you will have a much better measure and a stronger Commission, if you deal with it as my hon. Friend the Member for Roxburghshire (Mr. A. Elliot) suggests. What is the annual average number of opposed Bills coming from Scotland? It does not exceed the figure 10, and even some of these could not be classed as exclusively Scotch Bills. Therefore, for the purpose of these few Bills, we are to set up a very costly piece of machinery. I believe you would get a much more effective measure by dealing with the three countries at once, and appointing a strong Commission, recognising, if you think it necessary to recognise it, that Parliament must yield its functions in favour of some body or other. If the modification of our Rules in the two Houses is not sufficient, then I think we might fall back upon the idea of making the inquiry local by the Members of the House, thus maintaining the principle of decision by the House itself. But if this is impracticable, and the duty of inquiry is to be handed over to a Commission, then I prefer such a Commission as has been suggested by the Chairman of Ways and Means and the hon. Member for Roxburghshire. The present proposal appears to sin against Parliamentary precedent, and as I speak of Parmentary precedent, perhaps I should say I am obliged to discard altogether one precedent which has been set up, namely, the Election Petition Judges. That is a totally different matter. The question whether a certain election is void, or whether it has been carried out according to law, is eminently a matter for a Judge, and is eminently a matter to keep out of the very possibility of Party feeling. We are now proposing to part with our powers affecting questions involving public policy, upon which I do not know any body more entitled or more capable of deciding than the House of Commons. I said this proposal sins against Parliamentary precedent. It ignores constitutional rights, and it seems to me to be a dangerous abandonment of the true duty of Parliament. Therefore, I move the Amendment of which I have given notice, which indicates the alternatives to which I have referred, and ask the House to declare that these alternatives should, at least, be considered fully and decided upon before the extreme course now proposed to us is adopted.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "the subjects dealt with in Private Bill Legislation ought not to be remitted for inquiry to a Commission, until it has been shown to be impracticable to remedy the evils now complained of, by amending the present system of inquiry by Parliament, and by extending the powers of Municipal Authorities in Counties and Burghs,"—(*Mr. Campbell-Bannerman,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

(4.55.) MR. A. R. D. ELLIOT (Roxburgh): The right hon. Gentleman has thought it right to advise us to proceed with caution, and the action he invites us to take in carrying out his cautious notions is to reject altogether a Bill which has been practically before the country for several years, and the subject of which has been inquired into by a very strong Committee of both Houses of Parliament, and the principle of which has been distinctly approved by several of the most distinguished right hon. Gentlemen who sit near my right hon. Friend. If we are to have a discussion upon a Bill of this kind it is satisfactory that we should meet with a frank opposition. I have no fault to find with the right hon. Gentleman in the matter of frankness. He asks us to reject the Bill in favour of an Amendment which, construed by the light of his speech, means that we are to reject the Bill in order to maintain practically the existing state of things. We may be asked to modify the constitution of Committees, to combine Committees of this House with Committees of the other House, but we are really asked to continue the present tribunal of amateurs sitting upstairs, and to fly in the face of every opinion in Scotland at which it is possible to get at. I was asked a year or two ago to take upon myself the burden of looking after the measure which had hitherto been entrusted to and most ably supported by my friend the late Mr. Craig Sellar. I had always supported the project and had my name on the back of the Bill; but I was hardly prepared to discover the unanimity of opinion in Scotland on the part of those entitled to express an opinion upon a matter so important to their country. Some hon. Members, no doubt, have read the letter in to-day's *Times* upon this subject. That letter represents the strong feeling of a leading member of the Parliamentary Bar in London. We are told that no one is in favour of the Bill except, forsooth, a few busybodies in Edinburgh. Looking through the Memorial which was presented to the Prime Minister last Session, strongly in favour of the proposals of the Government, I find that all the great municipalities in Scotland—Glasgow, Edinburgh, Dundee, Aberdeen, and all the other great towns—are unanimously in favour of the proposals which are laid before the House of Commons to-day. I also find that the Chambers of Commerce one after another take the same view; and looking through the names of individuals, I notice the names of gentlemen of great eminence, principals of Universities, men of standing, men of liberal and educated opinion, to whom in Scotland some deference would naturally be paid in respect of a matter which mainly affects the interests of Scotland. Now it is proposed that there should be inquiries on the spot, and I find it is suggested that inquiries should take place at such centres as Edinburgh, Glasgow, Dundee, Aberdeen, and Inverness. It is said that inquiries can be more economically and better made in London. How far are we to go in this principle? Would it be cheaper, would it effect upon the whole any economy in public time that great commercial causes tried in Edinburgh, or in Dublin, or at Assizes, should all be brought to Westminster because there will be found witnesses who can give evidence as experts, and where there are to be found counsel of great ability? If these matters are inquired into in Scotland, instead of being submitted to a Committee upstairs, there will not, I imagine, be an universal bringing up to Scotland of eminent counsel and engineers, but men of ability in Scotland will be availed of—there are eminent advocates in Edinburgh and Glasgow, and civil engineers will be found there whose opinions will have weight. It is futile to urge that a cause cannot be properly tried unless it is taken to where eminent counsel can be most conveniently found. The great feature of this Bill, no doubt, is the fact that it institutes a local inquiry and a single inquiry instead of a double inquiry. Mr. Littler, in his letter to the *Times* to-day, insists upon this double inquiry, and he says the second inquiry is necessary, because it takes a first inquiry to enable opponents to find out the weakness of the promoters' case. Well, it is a strong thing to say that it is desirable to keep up this tribunal, and that thousands of pounds are to be spent almost recklessly, with the net result that there is to be a second inquiry before another tribunal, before the strength of the opposition case can be made out. Surely it would be more reasonable to set up a strong tribunal in the first instance; a tribunal fully competent to examine into the rights and wrongs, the policy or impolicy of a proposal. Do not let us insist upon maintaining a second inquiry when we can make the first sufficient. It is, no doubt, a great change setting up a mixed tribunal. I do not pretend to any special knowledge, but as taking part in the proceedings and as an ordinary member of the public I have witnessed the work of Committees upstairs. I do not mean to say that, as a rule, these Committees do not have Chairmen of singular ability; and there are often most capable and experienced members on the Committee; but, still, I must say that I have been struck with the fact that the Bench is not quite strong enough in comparison with the Bar. At the Parliamentary Bar there are men of very great ability, every one of them a specialist, and devoted to his work. But the causes are tried before a tribunal, the personnel of which is continually changing, and the members of which are not professionally devoted to the work, and hence the natural result, the Bench is not strong enough for the Bar. Naturally the Parliamentary Bar has attracted men of first-class ability; the position offers the inducements of short hours, high pay, and long holidays. But we want a stronger tribunal. In ordinary legal procedure the most successful advocates in time find themselves on the Bench, and are specially qualified to deal with the arguments advanced before them; but, remember such gentlemen as Mr. Pope or Mr. Littler never cease to become advocates by becoming Judges. I cannot help a smile as I read the views of those who have taken up a defence of the position of Parliamentary Counsel, the positive contempt, for instance, at the mention of a Scottish Judge unacquainted with the proceedings at the Parliamentary Bar, and who perhaps, as Mr. Littler says, never put his nose inside the gallery of the House of Commons. But I would ask how often is a Member just returned to sit in Parliament appointed a member of a Committee, without having had any experience of barristers at all? What is required on these Committees is the presence of men who understand the ways of advocates and witnesses; and I maintain that a Scotch Judge would be an extremely useful addition to such a tribunal, and certainly would bring a trained experience to bear upon the matter in hand, which would not be the case with a Member elected for a constituency upon the Home Rule or any other political cry. I am afraid those who advocate the successive system of inquiry—the one inquiry succeeding the other on the same Bill—forget the burden this entails upon the poorer class of promoters. To the great Railway Companies this is a matter of little consequence, this expense is but a drop in the ocean compared to their enormous expenditure on works; but there are promoters of useful public works who are deterred by the expense from submitting their proposals to a Committee at all. But I think that they should have the opportunity of submitting their plans for examination, and of showing that their proposals while being profitable to themselves are of public advantage and do not offend against general principles. It has been remarked that we now get the services of a Committee for nothing; but the right hon. Gentleman (Mr. Campbell-Bannerman) must be aware that at present the fees paid by suitors who bring their schemes before Parliament are largely in excess of the amount required, and are amply sufficient to pay for a tribunal of this kind. It is perfectly true, as the right hon. Gentleman says, that the principle of the Bill extends beyond Scotland, and for my part I greatly regret that the Government have not seen their way to introduce and press forward that larger measure drawn by the late Mr. Craig Sellar. But if the Government had done this, I do not suppose the hostility of the right hon. Gentleman would have been anything but strongly intensified. We should have had resistance tooth and nail, and judging from Mr. Littler's letter, I tremble to think of the opposition that would be evoked by a proposal that not only Scotch Bills, but all Bills, should be so treated by a Commission. The principle, I fully admit, goes beyond Scotland. According to the Bill, only those Bills which relate exclusively to Scotland are to be referred to this Commission, and the Lord Advocate thinks that this is fair and reasonable. But I do not quite see that. Fair and reasonable it would be in regard to a Bill exclusively relating to Scotland; but take the case of a Bill promoted by the Caledonian or the North British Railway Company, nine-tenths of the value of the interests affected might be in Scotland; but there might be some little question affecting a station at Berwick or Carlisle which would take the Bill out of the category of those exclusively Scottish and require its relegation to a Committee at Westminster. That would not, I think, be reasonable, and I should like to see a provision introduced giving to the Chairmen of Committees of both Houses authority to determine the question of venue, after considering whether a Bill mainly or substantially related to Scottish affairs, and if the inquiry would be more cheaply and more thoroughly conducted in Scotland than at Westminster. I should like to see Bills of this nature, though not exclusively relating to Scotland, tried before a Scottish tribunal. Of course, this Bill must be looked upon as being, to a very large extent, experimental in character, and it will depend upon the result how far Parliament will extend the principle. We have been told that the whole inquiry will be raised again in this House, but I do not see why this should be so. If the inquiry before a local tribunal is a more complete inquiry, if those who try these causes are more competent and experienced, I certainly do not think the House of Commons will be so foolish as to rake up the details again in a full House. The House of Commons dislikes to discuss the details of a Private Bill, and I share that dislike. Nothing is more incongruous than for the House of Commons to decide upon the merits of a Private Bill except under such exceptional circumstances as the promotion of a Channel Tunnel Bill or of a Bill affecting a question of general interest. In nine cases out of ten it is most unfitting that the House, imperfectly acquainted with the facts, should re-hear a case decided by Committee, and I cannot see why these re-hearings should be more frequent after the inquiry has been entrusted to a more competent tribunal than the Committee now is. It has been said with truth that these inquiries which are treated as judicial are not altogether judicial in character, for they relate to matters of policy and public expediency, requiring the judgment of business men of common sense and not merely trained lawyers. But then it is said it is desirable that these men should hold a representative position. I, for my part, do not altogether hold that view. A question of a purely local character has to be determined, and I do not see that a gentleman is specially qualified to try that question because the expression of his opinions for or against Home Rule may have led to his election to a representative position. The merits and demerits of a particular Private Bill proposal have nothing whatever to do with representative qualifications. This tribunal will have to inquire into facts, and I must say I look with considerable approval on Clause 18, which contains a provision which will enable the Local Authority to be consulted, not by the representation of counsel, but by a written statement of their views. Thus, County Councils and Town Councils will put their views before the Commission, and I should be perfectly willing to see this provision extended to include other representative Local Authorities. But I must resist any proposal such as that of the hon. Member for Kirkcaldy (Sir G. Campbell), that we should delegate legislative powers to County Councils and Town Councils. Why, it constantly happens that Local Authorities are the promoters of schemes under which they seek powers to compulsorily acquire property and give compensation, and to give these authorities the right to exercise such powers without further Parliamentary sanction is a conclusion I am sure the House will never arrive at. However competent a man may be, it is asking him to undertake a task for which no man is competent to be advocate and judge in his own cause. I am sure such a proposal will be at once rejected. We have heard much of the constitution of the Commission, and I agree with the right hon. Gentleman (Mr. Campbell-Bannerman) to this extent, that when an appointment to a public office is made, I should like it to be made by some responsible individual whom we may control in this House; and I infer from what has been said, that if the right hon. Gentleman is determined to force this patronage upon the Government, he will not be resisted with any great vigour. The principle of the Bill is this: a local Scotch inquiry into subjects exclusively affecting Scotland, an inquiry before men specially qualified to conduct it, a single inquiry which will take the place of the present double Parliamentary inquiry; but the right of absolute legislation, the power to take away altogether from A or B property in furtherance of some scheme for the public benefit, is reserved, and should be reserved, to the Parliament of the United Kingdom. I do not think, as the Bill is to be referred to a Select Committee, that I need elaborate this point any further. The right hon. Gentleman the Member for Oxford University (Sir J. R. Mowbray) pointed out before the Committee, where he was both member and witness, the increasing difficulty of getting Members to do this work which some of them consider drudgery, and this was referred to in the Report of the Joint Committee in very strong language indeed. They had in their minds, no doubt, the recommendations of the Committee presided over by the noble Lord the Member for Rossendale, suggesting a large increase in the system of Standing Committees. Well, the result of careful inquiry by men of all parties is that the present system is acknowledged to be most unsatisfactory, and it looks as if these duties must, of necessity, devolve upon another tribunal. The more the matter is opened, the more Members apply their minds to the consideration of the question and look into the evidence, the more they will find themselves urged to the conclusion that a remedy is to be found in the institution of a tribunal such as this now proposed. I have no doubt that the proposal is supported by nine-tenths of the intelligent opinion of Scotland. I can hardly believe that the right hon. Gentleman is going to a Division against the Bill. That is for him to consider, but it surprises me that any Scottish Member should come forward and deny that there is an opinion in Scotland approaching unanimity in favour of this Bill. That I believe to be the case. The right hon. Gentleman did not much go into the question of public opinion; he put that aside; but I challenge any hon. Member to bring forward anything like evidence of Scottish opinion against the Bill to be compared with Memorials and Petitions, and every legitimate expression of opinion in its favour. Since 1872 the Royal burghs have every year declared in favour of a fixed tribunal and a local inquiry. Do not let us have under the guise of caution and inquiry attacks made upon the principle of the Bill. It is now the question of a Second Reading. Are we to defeat the Bill and protract the present system, or act in accordance with Scottish opinion, and adopt a system which after trial in Scotland will, I am convinced, be followed throughout the whole of the United Kingdom?

*(5.27.) MR. ESSLEMONT (Aberdeen, E): I shall not follow the hon. Gentleman who has just spoken into the question of what is the intelligent opinion among the people of Scotland; but it may not be out of place to remind the hon. Member and the House that the Town Council of Edinburgh—and they may be accepted as representing intelligent opinion at least, in the Scottish capital, on Tuesday last—came to the resolution not to support the Bill. But perhaps the hon. Member for Roxburgh will not accept this as the opinion of the people of Scotland; he soars above this, and picks out the intelligent opinion for himself. I will, however, make him a large concession. For several years my name has been associated with a Committee which has sought an alteration in the present process of Private Bill legislation, and I am quite at one with the hon. Gentleman in saying that the system of double Committee is unnecessary, expensive, inexpedient, and ought to be done away with. But although committed for years to a change in regard to Private Bill legislation, what I humbly submit to the House is that the people of Scotland have not been looking for, nor do they wish for, a Bill drawn on these lines. I admit the Lord Advocate has indicated a large concession. He says he is not going to stand by the constitution of the Commission as a vital principle of the Bill; and more than that, the right hon. Gentleman is willing, if the Bill passes Second Reading, that it shall be submitted to the sifting and examination of a Committee upstairs, and inferentially any Report from such a Committee

will be accepted by the Government. But let me bring to the recollection of the House and the Government this important fact, that since we began in Scotland to agitate in favour of reform in Private Bill legislation very great changes have taken place. Parliament has lately given a large number of additional powers to local government, and the whole policy of legislation on such subjects is to increase the powers given to local governing bodies. Let me ask, with all seriousness, what is the power conceded to Town Councils and County Councils but the right of bodies representing the public to deal with private interests? What we want in Scotland is not a system of appeal to Judges, but the placing in the hands of administrative bodies of certain powers, in the belief that the electors can always be depended upon to exact from them such an execution of those powers as will be in accordance with the sense of fair play to individuals. If we do not act upon that principle we cannot grant devolution or delegation in any respect whatever. It is idle for the right hon. and learned Gentleman to say that under such a system as we advocate local bodies would be judges in their own case. We have in Scotland towns that are counties in themselves, having Councils representing at least 50,000 inhabitants; and we have County Councils representing each from 100,000 to 200,000 inhabitants. These are responsible tribunals created by Parliament, and of such a character that we cannot despise them. If we are to admit the principle of devolution at all, certainly much larger powers ought to be conferred upon these bodies. During the discussions on the Local Government (Scotland) Bill we on this side of the House pressed on the Government the advisability and necessity of conferring much more extensive powers upon them than were conceded by the Government. We are entitled to assume that if any success attends the system of local government at all, these large representative bodies will very soon qualify themselves to be the administrators of much larger powers than we have yet conferred upon them. I do not see why we should not delegate to County Councils in Scotland the power of authorising very small communities to take steps which may be necessary for the administration of their local affairs. I believe that between 75 and 90 per cent. of our Private Bill legislation relates to our large Railway Corporations; and I challenge any hon. Member representing those corporations to stand up and say they desire to have any local body or Commission sitting in Scotland. All railway schemes are so bound up in the ramifications of great lines of traffic that it would be inexpedient, if it were possible, to remit them for consideration to any body in Scotland. A proposal respecting the gas, or the water, or the sanitation of a little town, which is still in its infancy and is just forming a corporation of its own, would be dealt with impartially and fairly by a large County Council. I say that County Councils ought to have powers of this kind, and that small corporations ought not to be put to the expense and trouble of coming to Westminster paying Parliamentary fees, employing counsel, and so forth. The hon. and learned Member for Roxburgh (Mr. A. R. D. Elliot) has spoken about the necessity of having a Judge on a tribunal of this kind. I am not going to follow the hon. and learned Gentleman in his observations respecting the inferiority he feels to the learned counsel who come before Select Committees, nor am I going to reply to his sneering remark about "poor Mr. Littler." Poor Mr. Littler will hold his own against the hon. and learned Member for Roxburgh. What we say is that these experienced and learned and able counsel are not necessary instruments in regard to the little local affairs in our constituencies which it is sought to make the subject of Private Bill legislation. Then, with regard to the constitution of the proposed tribunal, Judges ought, in our opinion, to be confined to the administration and interpretation of the law; and we deprecate strongly any proposal to set up the politically appointed Judges of Scotland—whom we believe to be perfectly impartial, honest and honourable—as exponents of local public opinion, and as Judges of the local interests of communities. We are introducing here a most important, and, in my opinion, a most pernicious principle. We are saying that the learned Judges of the Court of Session and their nominees are to be the judges in the future in Scotland in regard to the carrying out of public works. The Amendment which has been moved by the right hon. Gentleman the Member for the Stirling Burghs, in effect, says that we are not to make this radical and somewhat dangerous change until we have seen to what extent we can remedy the existing evils, and until we have seen how far we can safely delegate the powers to the new County Councils. This seems to me a most reasonable proposal. I think we should give the matter the most careful consideration before we enter upon what is really a reversal of the whole policy of legislation throughout the country, taking the initiative in regard to authorising public works from the popular representatives and Parliament, and giving it up to Legal Judges. Unless the Government see fit to give an indication that they are ready to afford the House some opportunity of considering the most important subject of further delegation of powers to Local Councils in Scotland, Members from Scotland will certainly not be justified in voting for the Second Reading of this Bill. To my mind the new Local Authorities should have a fair trial with enlarged powers. I do not, to a large extent, sympathise with the idea of having an Imperial Commission going over all parts of the United Kingdom. I think the people of Scotland would be more likely to set up a good tribunal for themselves than would be the people of England, Scotland, and Ireland combined, and I am not prepared to say that it would reconcile me to the Bill if it were to be a universal measure for all parts of the United Kingdom. I do not sympathise with the idea that a Scotch Committee must be a very expensive affair; but I think that the body should be maintained in both Houses combined, consisting of Members or persons nominated by the two Houses. This Bill by no means meets the desire of the Scotch people, who would much prefer the present system to that now proposed. They object to be placed under the control of the Court of Session, and would much rather come to London and have Private Bills considered by a Committee of the House of Commons and a Committee of the House of Lords than be at the mercy of a Parliament House clique. When the Scotch people really understand this measure they will rather bear the ills they have than fly to others they know not of.

(5.48.) Mr. HUNTER (Aberdeen, N.): My hon. and learned Friend the Member for Roxburgh told the House, in his usual fashion, that all Scotch opinion—or, at all events, all intelligent, by which I presume he means anti-Home Rule opinion—was in favour of this Bill. When he made that statement he might have reminded the House that at all events one Scotchman who is not in favour of Home Rule is opposed to the Bill. He might have referred to the fact that a very distinguished Member of Her Majesty's Government, a Scotchman, who, unlike most of those who clamour against the present system, has had considerable experience of that system—I mean Lord Balfour of Burleigh—has not only expressed opinion against the Bill, but by facts and arguments has demolished the whole case in favour of it. Whatever popularity this measure has secured has been due to the belief that it is some instalment of Scotch Home Rule. If it were even a small step in the direction of Home Rule for Scotland I should support it, but it is nothing of the kind. This Bill has no more in common with Home Rule than a painted sparrow has with a canary. Home Rule for Scotland means giving the Scotch people control of their own business; but this Bill will take away such control as the Scotch people at present have over Scotch Private Bill legislation. The Bill sins against all principle and satisfies nobody. It does not satisfy the Member for Roxburgh. It substitutes for the control of Parliament, in which the Scotch people are at least represented, a body of gentlemen who, whatever may be their merits, will be in no sense representative of the people of Scotland, and over whom the Scotch people will have no control. A good deal has been said with reference to expenses, and so on, of Private Bill legislation; but let me remind the House of one fact that ought not for one moment to be forgotten throughout the whole discussion. Before the Joint Committee of 1888 there was a general consensus of opinion that far and away the best tribunal for the consideration of Private Bills is a Committee of this House. The people of Scotland have the utmost confidence in these Committees, and it is only those who have little or no experience of them who object to them. It is important to bear in mind that the only complaint against the present system made before the Committee of 1888 came from certain municipalities in Scotland and Ireland, and that the entire Private Bill legislation in which municipalities are concerned is about 5 per cent. Those who are concerned in about 95 per cent. of the whole Private Bill legislation are not only satisfied with the present system, but are entirely opposed to any alteration. What are the grievances alleged? They were stated by one witness. He was asked—

> "You do not feel any want of confidence in a Parliamentary Committee?
>
> No; certainly the reverse. The only ground upon which complaint is made is the ground of expense."

Now, taking not the larger question of the Empire as a whole, but dealing with Scotland alone, the total amount expended on Private Bill legislation by the Local Authorities in 14 years has amounted to £300,000, whereas the expenditure of other interests in the same period amounted to £1,000,000. The interest represented by the Municipalities is only one-fourth of the whole, and what is the amount of the saving which it is expected will be brought about by this Bill? Not a single word has been said about that, although it is a matter of great importance. The most exaggerated view put forward by any witness before the Committee of 1888 puts the saving to the people of Scotland at £7,000 a year. The total local expenditure of Scotland is £6,000,000 a year, and on this £6,000,000 the utmost amount which anybody in his wildest moments could imagine it possible to save is £1 in a thousand. All the preliminary and other expenses of the present system will be continued, save that of having the witnesses examined in London instead of in Scotland. It has been said that this Bill carries the object which the Scotch Corporations desire. It does nothing of the kind. What the Scotch Corporations desire was well expressed by a witness from Aberdeen. He said—

> "We are quite of opinion in Aberdeen, that if you were to hold an inquiry in Edinburgh it might cost as much as if it were held in London."

But this Bill does not give an absolute right of local inquiry; it makes the local inquiry dependent on the discretion of the Court itself. This will not do, if you desire to meet the wants of the Scotch people, and they will not be satisfied unless you give them a Statutory and Parliamentary right to have inquiry made in the locality. With regard to the question of expense, there are one or two facts of which the House ought to be made aware. A shareholder of the Caledonian Railway was so impressed with the cost incurred by the present system, and the saving that might be effected if the inquiry were local, that at a meeting of the promoters of that company, he made a motion in support of some such proposal as is now before us. But there happened to be at that meeting, as there was not present at the Convention of Royal Burghs nor in the Town Councils, a gentleman who knew something of the subject, who had had large experience in connection with it, and who was able to put the true state of the facts before those present. He pointed out the fallacies of the grounds on which it was supposed that money would be saved by means of local inquiries, and the result was that of the total number of shareholders present there were not ten who supported the motion. I venture to say that the same result would follow all over Scotland if at meetings which might be held on this subject some one were present who could present the real state of the case. It is remarkable that this idea of saving money by means of local inquiries should not have extended to the Railway Companies, all of whom are found impressed with the conviction that, instead of saving money, the adoption of such a system would materially increase their expenditure. If we take the case of Newcastle, that is a city which is in every respect as disadvantageously situated as Edinburgh with regard to inquiries before Parliamentary Committees, and yet no member of the Corporation of Newcastle has complained of the expense of the existing system, or enlarged on the advantages of local inquiries. The same remark may be made with regard to Liverpool. The idea is one that is peculiar to Scotland and certain parts of Ireland. Whence did that idea originate? For some years past there has been a very small, but very active, committee of lawyers in Edinburgh who have been labouring under the delusion that there are enormous fortunes to be made out of the Private Bill business if it can only be brought to their locality. This body is a most active and energetic one. Now, it happens that the Convention of Royal Burghs contains between 20 and 30 professional men, some of whom are exceedingly active, and these persons not only prepared a string of resolutions on this subject, but have also put forward a very plausible story which sounds very well until we have heard the other side—the story being that there is enormous expense incurred in taking witnesses to London. Now, let us see what is the evidence that has been given on this subject. Among the witnesses before the Committee was Mr. Vary Campbell, who is an advocate practising in Edinburgh and the leader of a somewhat small party who have been agitating in favour of the Bill. Mr. Vary Campbell was asked by Lord Monk Bretton, "Have you attended much before Committees?" His answer to that question was, "I have only personally attended before the Referees on *locus standi.*" He was further asked, "You have not followed the Bills from the Referees to the House?" and his reply was, "No, I have not." Here, then, is a gentleman who never could have had the responsibility connected with the passing of a single Private Bill through Parliament; who, in fact, never held a single brief upstairs, and who, therefore, can be no high authority as to what is an extravagant system. On the other hand, the Committee have had the evidence of Sir James Marwick, who has been Town Clerk both of Edinburgh and Glasgow for a number of years, and who has had more experience and better opportunities of forming a judgment on this question than all the Town Clerks in Scotland put together, and certainly more than all the Town Councillors in that country. Well, what is his experience? Sir James Marwick is just as good a witness as Mr. Vary Campbell is a bad one, and his opinion must necessarily carry great weight where the opposite opinion expressed by Mr. Vary Campbell carries very little. Sir James Marwick expressed in the strongest terms his opinion that the present system was by far the best he had ever heard proposed, as he knew by experience that more money would be expended by taking experts and scientific witnesses to the locality than by taking the ordinary witnesses from the locality to the House of Commons. Now, this argument about expense is just one of those half truths that are in reality more dangerous than falsification; because, of course, if instead of taking witnesses to the Court you take the Court to the witnesses, you thereby save the expense of taking the witnesses to the Court, but, on the other hand, you incur the additional expense which necessarily arises from taking the Court to the witnesses. Those who use the economical argument entirely overlook the fact that there is another side to this question, and that the taking of the Court and counsel, together with experts and scientific witnesses, to the locality would be a source of increased expense. With regard to the cost of witnesses, Sir James Marwick gave figures covering a number of years. The total expenditure at Glasgow over 11 years amounts to a sum which is a very convenient one to make use of, because the total is exactly £100,000, and therefore you can easily arrive at the various percentages. He puts the cost of general witnesses at £5,400, and of deputations at £6,000. So that on those two items the amount of saving that could be effected out of the total would be 11 per cent. On the other hand, he puts it that the cost of taking counsel to the locality would be very serious. But I assume that the Government in their draft have made it optional on the part of the tribunal as to whether it shall hold local inquiries or not. There has been a case in point in connection with the Corporation of Glasgow. An inquiry was made in that city by a Royal Commission as to the boundaries of Glasgow, and that inquiry cost £5,000. But the fees of a single junior counsel from Edinburgh amounted to £1,000 out of the total sum of £5,000. Speaking before the Committee, Mr. Pope stated—

> "I have the honour to hold a general retainer from the Corporation of Glasgow, and I have never received such a fee from them. Indeed, in the whole course of my experience the whole of my fees from the Corporation of Glasgow in any one year have never amounted to such a sum."

It is obvious if counsel are taken away from Edinburgh to localities some distance away much larger fees will be required than if counsel were acting in the course of their regular practice in Edinburgh. Counsel always runs the risk of disappointing clients when he goes away, and sometimes incurs the risk of losing them altogether. Therefore, do what you will the cost of counsel must be very high if you have inquiries made in the localities. Moreover, we have ample experience that when people have a choice between a Central Court and an inquiry in a particular locality they find it to their interest to go to the Central Court. The Londonderry case was referred to before the Joint Committee. As I was engaged in that case, I may state what happened. It has been the practice of the Railway Commissioners to hold their inquiries on Irish questions in Ireland. The Londonderry case was one of undue preference, in which a large number of local witnesses would have to be examined. The advocates in the case thought a saving might be effected if it were heard in Londonderry, and, according to the usual practice, the case was heard there. I may tell the right hon. and learned Lord Advocate that the result was not at all satisfactory, and that those who were concerned in the case came to the conclusion that they would have saved money if it had been heard in London, as in the end it had to be heard in order to receive the evidence of certain experts. That is only one case, but there are many others which illustrate the same point. During the last 15 years the Railway Commission has exercised jurisdiction over railway rates in Scotland, and the Commissioners have always been ready to go to the locality where the parties might desire it. Nevertheless, it is a fact that during the whole of those 15 years, although the Scotch people have the choice of having their inquiries made in the locality instead of in London, in no single instance have the parties in Scotland desired to have the Commission sitting in the locality. We have found the same feeling in Scotland with regard to arbitrations relative to purely local matters. Take, for instance, the arbitration in the case of Lord Blantyre's Trust, having reference to the foreshores of the Clyde. That was a purely local matter, but the parties concerned preferred to have the investigation made in London, doubtless because it was more convenient, and also cheaper in the case of the experts and counsel necessarily engaged in the case. Then, again, take the case of the Corporation of Dundee, who, having entered into an arbitration in a matter affecting the burgh, had the arbitration heard in London instead of in Dundee. But with regard to the relative expenses of local and central inquiries, those persons who have had little experience entertain the opinion that a great saving would be effected, while those with large experience are altogether of a different opinion. But either on the ground of expense or the unfitness of the tribunal, these arguments are thrown entirely into the air. We shall be confronted with the Report of the Joint Committee of 1888, appointed to inquire how far the system of Parliamentary Committees might be modified. For 10 days that Committee sat hearing evidence on the merits of Parliamentary Committees without a single whisper being heard of views which were afterwards put before them. On the last day but one the Chairman of the Committee of Selection gave evidence of a totally different character. His evidence amounted to this: that, whether the system was good or bad, the House of Commons had practically resolved to get rid of Private Bill business, and that some alternative must be proposed. I cannot help thinking that it is much to be regretted that that evidence was not given in the first instance, so that the attention of the Committee might have been directed to the question of what would be the best substitute. The only views put before this Joint Committee were, on the one hand, those of the Secretary of State for War, and, on the other, the views of the right hon. Gentleman the Chairman of Committees. I do say that, considering the enormous interests involved, the question of the proper substitute for the Private Bill Committees is one which deserves the fullest consideration and inquiry. I do not think anyone can say that there was inquiry as to that, though, no doubt, great consideration was given by Members of the Committee to the subject. The scheme proposed by the Secretary of State for War was in its main features that which has been adopted in the Bill of the Government, with this important and vital distinction: that the Committee recommended a general tribunal and not one for Scotland separately. Upon the question of a separate tribunal for Scotland, the Committee gave no authority to the Government. With reference to the scheme, the only evidence given in the way of criticism was tendered by the Chairman of Ways and Means, who said—

> "Any scheme which contemplates that Bills should be read a second time and then sent for examination to some separate tribunal, in my opinion, is subject to such objections that it would be scarcely worth serious consideration."

In the face of that opinion, emanating from so high an authority, the Government are not justified, without further careful inquiry and much more prolonged investigation than they have yet given to the subject, in attempting by a side wind to subvert the system of Private Bill legislation by introducing a measure which applies only to Scotland, and the main principle of which has never yet been adequately considered. The difficulty of finding a substitute will prove to be very serious, because we have no analogy to guide us. In the case of divorce, the House merely restored to the legal tribunal powers which should never have been taken away from it. In regard to corrupt practices at elections, the only reason why the House stuck so tenaciously to its right to decide elections was that in former days the Judges held office by the goodwill of the Crown, and Parliament would not sacrifice its indepenedence by referring disputed elections to the nominees of the Crown. It is true the practice continued long after the reason for it ceased to exist, as very frequently happens. But that was the true reason why the House maintained so stoutly its jurisdiction over election petitions. Of course, in later times, they were very properly referred to a legal tribunal. But the questions raised by the present system of Private Bill legislation are of an entirely different character. What is the question which is at the root of all Private Bill legislation? It is the question of taking land by compulsion. The important distinction between land taken for purposes of private gain and for the purposes of the public good was never considered by the Joint Committee, though it is the governing element in the decision of a case. The distinction is already recognised by the practice of the House. Mr. Warner stated in his evidence that the power to take land compulsorily for private purposes—that is, for purposes of private gain—had never been permitted by Provisional Order; whereas we know that Corporations and Public Bodies have over and over again been allowed to take land compulsorily by Provisional Order. That distinction rests upon sound principle. When it is the case of a private interest, it rests upon the promoters of the Bill to prove that it is for the good of the public that the land should be taken compulsorily. But when we come to a Corporation it is clearly a different matter, for the Municipal Corporation is clearly the proper authority to decide whether or not land should be taken compulsorily. It alone can decide when the public interest is involved, while it has every motive to abstain from indulging too much in the practice of taking land compulsorily. We know that the Lands Clauses Act not only gives compensation to the man whose land is taken compulsorily, but it gives him a certain bonus in addition. The Amendment points out the true solution of this question. I submit that the worst mode of dealing with Municipal Authorities is to appoint a tribunal of any sort which would consist of persons not removable, who did not represent the public, and who were not controlled by the public. I have a word of complaint to make against the Government in respect of this transaction. When the Local Government Bill was before the House, we on this side of the House made strong efforts to enlarge the powers of the County Councils and Town Councils. We brought forward this Motion:—

> "That County Councils should have power to take land by agreement or compulsion, for permanent purposes, or for the benefit of the people of the locality."

Forty-nine of the Scotch Members voted in favour of that Motion, and only 11 voted against it. Of Scotch Members supporting the Government there are 26, and you will find that the Government were not able to get half of their Scotch supporters to go into the Lobby against the principle of that Resolution—a principle which is the true key to the whole question of Private Bill legislation. The grievance of Local Authorities is that they have to come to Parliament at all for the majority of purposes, for which there is no need to come to Parliament. What are the grievances of Corporations? A gentleman of the Corporation of Glasgow pointed out that it was a great grievance that they could not enlarge the west end of Sauchiehall Street without paying a ridiculous price for a small piece of land held by one man, who knew that they could not proceed without getting a Private Bill, which would cost £400 or £500. I put it to the Government whether it is not preposterous that the Corporation of a city like Glasgow should be compelled to incur that expense before being able to take a small piece of land necessary for the purpose of a public improvement? Another grievance relates to the running of tramways through the streets. Surely the Local Authority is competent to decide the question, and it certainly does not need a permanent tribunal of Judges. What are the other matters? One is the removal of buildings. Surely that should be within the control of the Local Authority. Let me refer very briefly to one or two of the objects for which Scotch Corporations have had to apply for Parliamentary sanction. A very benevolent citizen of Glasgow presented a large piece of valuable land to the Corporation on the condition that it was laid out and maintained as a park. The Corporation had to come to Parliament for power to fulfil that condition. Surely the President of the Local Government Board will admit that that was a matter which the Glasgow Corporation might well have determined without Parliamentary interference. Again, the Corporation of Glasgow spent £3,084 in obtaining the authority of Parliament to widen one of their bridges by 30 feet. Surely that was a power a Local Corporation ought to have. Edinburgh had to come to Parliament for power to build a bridge; the burgh of Ayr spent thousands of pounds to get power to execute street improvements; and the little burgh of Airdrie came to Parliament, at considerable expense, to obtain powers to provide model lodging-houses. Is it not possible by a General Act to give certain limited powers to Local Bodies to take land compulsorily for public purposes, with or without, it may be, the approval of the Secretary for Scotland? Cannot some provision be drafted whereby a large proportion of the Private Bill legislation would be rendered unnecessary? That is where real economy would come in. The majority of the Bills now brought forward are not opposed; yet you enforce the provisions which entail so much expense. This is a grievance affecting municipalities which your Bill does not touch, and upon that ground I shall not have the slightest hesitation in offering the greatest possible resistance to the present measure. It is not a step in the direction of Home Rule for Scotland, or popular control, but it is a step in the direction of substituting for the proper representatives of the people persons who, whatever their excellence, will very soon be out of tune with public sympathy. I venture to say, with equal firmness of conviction, that the only way in which you can satisfactorily deal with Scotch business is this. The number of Bills proceeded with is very small, for in ten years there have only been 95 opposed Bills. With respect to Municipal Bills, the remedy could be secured by enlarging the powers of the Local Authorities, while as to railway business, you ought to have one railway tribunal for the whole of England and Scotland. Ever since the year 1873 one of the primary objects of Parliament has been to secure the treatment on one system of all the railways in Great Britain. It is impossible to deal satisfactorily with the question of running powers if you have one tribunal in Scotland and another in England. On an average there are 40 Railway Bills a year, and if they were all dealt with by one properly constituted tribunal the whole difficulty would be overcome. I can only say that either in the Select Committee, or when the Bill comes back to this House, I shall move that it be in the option of promoters of Bills to say whether the scheme shall be considered before a Committee here or locally. My contention is that on the grounds of economy promoters are not likely to prefer the local inquiry. As to the constitution of the proposed tribunal I need say little in addition to what has fallen from other Members. But I do hold with the opinion of Sir J. Marwick, that a legal training is the last qualification necessary for the post. I object strongly to the notion that only a Judge could properly preside over the tribunal, for such an appointment would be incompatible with the independence and impartiality of the Board. Again, the appointment of the members of the tribunal ought not to be for one year only. How can a man be expected to give up a lucrative practice for an appointment for one year only? And if the appointments are thus limited may we not see a spectacle such as has been presented in Ireland, where Engineer A has reported favourably on Engineer B's scheme in one county, and Engineer B has done a like turn for Engineer A in another county? To prevent the members of the tribunal being placed in positions calculated to create embarrassment and suspicion their appointments must be permanent. Have the Government asked the Railway Commissioners if they are willing to undertake these duties? I presume they have. I venture, however, to think that if they do undertake them they will be placed in an invidious and difficult position, especially when called upon to deal with questions of law. Now, one of the last proposals of the Bill is to place a Member of Parliament on this tribunal, and a more unconstitutional and monstrous proposition I never heard. In the first place, he is to be the only unpaid member of the Commission. I doubt whether any constituency would tolerate the absence of its Member from Parliament in order to act as an arbitrator in private disputes; while I cannot imagine any Member being willing to give up all interest in the public affairs of the country in order to occupy the position proposed by this Bill to be assigned to a Member of this House. I apologise to the House for detaining it at such length; but this is a subject of wide ramifications, and I feel that it has not yet been adequately discussed. The proposals of the Secretary for War have not yet been subjected to the test of cross-examination. It is said the Bill will enable the House to retain control over its Private Bill business. But it will not do so, for if the Commission do not pass the preamble of the Bill the House will have no voice whatever in the matter. Although the Government have advanced their views in a temperate and reasonable manner, I do hope they will see there is nothing to be gained by pushing forward the Bill during the present Session.

(6.49.) Mr. R. W. DUFF (Banffshire): My main objection to this measure is this: that it does not lessen in any degree the expense of carrying unopposed Bills through Parliament. Now, most of the Bills from my constituency are unopposed. A small harbour was recently projected at a cost of £12,000; yet the expense of getting the necessary Act of Parliament, although it was unopposed, amounted to no less a sum than £1,200. These are the grievances we want to get rid of, and these are the matters which stand foremost in the minds of the Scottish people when they talk on the subject of Private Bill legislation. Surely in small matters of public works—such as the harbour to which I have already referred—it is very hard that the community should have these enormous expenses put upon them. The right hon. Gentleman asks how it is to be obviated? Why should not Harbour Authorities have power to acquire land in the same way as School Boards possess it under the Lands Clauses Consolidation Act? Surely it would be easy to draft a Bill under which a Harbour Authority could go before the Sheriff and obtain the land, any dispute as to terms to be governed by the Lands Clauses Consolidation Act. I say that this Bill does not touch the grievances under which we suffer; but if the right hon. Gentleman will apply his mind to the matter he will find it possible to relieve the smaller communities of these burdens. A right hon. Gentleman who spoke just now seemed to think it was an agreeable task to preside over a Railway Committee upstairs. Well I have had some years' experience, and I must say I have not found it very pleasant to have to come down at half past 11 to sit on a Committee till 4, and then to proceed with the business of the House. Still, I do believe that the decisions of these Committees have been, on the whole, satisfactory to the country, and I fear it will be very difficult to find a tribunal which will give equal or greater satisfaction. I rose more particularly to call the attention of the Lord Advocate to what I conceived to be the chief grievance in regard to Private Bill legislation, and to explain the reasons which I feel it my duty to support the Amendment of my right hon. Friend.

(6.55.) MR. PARKER SMITH (Lanark, Partick): As I believe that a strong desire exists in Scotland for this Bill, I am glad that it has been introduced so early in the Session; but I hope that evidence will be called before the Select Committee which will give expression to Scottish opinion, and that before any action is taken on the decision of the Committee time will be afforded for Scotland to declare itself on the evidence. I fear that much of the opinion in favour of the Bill comes from those who are least acquainted with the matter. There are many strong practical difficulties in our path, but I do not think that they are insuperable. I was very glad to hear the Lord Advocate say that the Government would keep an open mind in regard to the Bill, which I trust will be carried through with the same success, and in the same manner, as the Police Superannuation Bill of last Session, There are two points of view from which the Bill must be examined, the Scottish point of view, and that of the House of Commons. The first argument which has been advanced is that of expense, and I think that the Member for Aberdeen has made out a very strong case in that connection; for it seems extremely doubtful whether anything in the shape of economy will be gained by this change of procedure. The Bill does not affect unopposed Bills in any way, although at present an expense of £300 or £400 has to be incurred in getting the smallest unopposed scheme through Parliament. Again, in regard to opposed Bills, I do not see where there will be any substantial diminution of cost. The solicitors' work will remain pretty much about the same under the new system as it is under the present; counsels' fees will remain about the same; and if expense is saved in not having to take the witnesses to London, there will be a fresh expense in calling expert evidence from London, and it may be that counsel will have to be taken from London to Scotland. Of course the real saving will be in changing the system, which enables the opponents of a Bill to contest it before two Committees in succession: before Committees of both Houses. But another Scottish reason in favour of this Bill is one altogether outside the question of expense, for it is to be found in the desire that in these matters Scotland shall be made altogether independent of the Imperial Parliament. If people clearly understand what it is they are going to get, and what it is going to cost, and they still have a strong desire for a local hearing, by all means let them have their Bill. The change will benefit certain classes with regard to whom one thinks more about expense than with regard to rich companies or Corporations. At present, opposition to a Bill that is going to affect a person to a very slight extent is an extremely serious matter. A man does not care to incur a considerable certain expense for a problematical chance of getting some good out of it. If there were a local inquiry, one's own agent would be able to conduct one's case at extremely small expense. There is one provision in the Bill in favour of Local Bodies that seems to me a very dangerous one. By the 18th section any County Council or Town Council may make a report in writing to the Commissioners respecting the Preamble of a Bill, and the Commissioners are to have due regard to the request contained in such report. I do not see why County or Town Councils should have privileges given them that are greater than those given to individuals. I think it is very dangerous to give more weight to their opinions than to the opinions of any other class of opponents. Town and County Councils are elected to champion the interests of the ratepayers. That you may trust them to do with perfect success, but they are not likely to look at matters from the larger point of view of the general public interest and consider whether a railway or any other big scheme will be of advantage to the community generally. What they seek is to get the best terms for their own ratepayers. This has been the experience of those who have had to deal with the largest Corporations in Scotland. It is clear that Bills of certain kinds—such as Gas Bills, Boundary Bills, Harbour Bills, Tramway Bills, and Water Bills—are of a local character, and might be fitly dealt with locally. But it is differentin regard to railways, and it is very hard to lay down any hard and fast line of discrimination between those railways which are completely local and those which affect the general interests of the Kingdom. I was once interested in a little railway which appeared to be one of the most innocent pieces of local extravagance that could be imagined. It was about four miles long, and ran from one village to another. But when one got below the surface and came to know the meaning of it, one found that it was a step in the great campaign of railway strategy which is going on continually between the Caledonian and North British Companies over the whole of Scotland, and it would have been very difficult indeed to say that a measure dealing with that little scheme was exclusively Scotch. The provisions of the Bill with regard to the constitution of the Court need amending in my opinion, and I hope we shall find the Government not unwilling to receive amendments of them. If a sufficiently strong Court can be obtained to command public confidence, and we can set it free from the trammels which, under the present scheme surround it, and save it from the rush on counsel or experts which is the greatest difficulty of the present system of Parliamentary procedure upstairs, I believe we may obtain satisfactory results. But there is another point of view from which one has to look at the matter, and that is the point of view of the devolution of the powers of Parliament. The strongest argument urged in favour of a scheme of this sort in 1888 was that of the difficulty of finding Members of this House to do the work. That does not apply to the present Bill, however. The amount of Scotch private business is so small that it would really be an entirely inappreciable relief to take away from English Members the duty of sitting on Scotch Bills. If there was any probability of the bringing forward of a scheme like that of the hon. Member for Roxburgh (Mr. A. Elliot), applying to the whole of the country, I should much prefer to let Scotland wait, because I believe the establishment of such a general Court would be a much more satisfactory way of dealing with the railway schemes, at any rate, than setting up a small Court with very little practice like that proposed by the Government. One has to look at two points with regard to devolution—one having reference to the saving of the time of Members, and the other to the saving of the time of the House. The House almost invariably accepts the decisions of its Committees, and it does not think it necessary, on the Second Reading of a Bill, to go into the question of merits. But I am afraid that if you hand over the discussion of a Bill to a body outside this House you will not have the same confidence in the decision, whether it be in favour of or against the Bill. I should be afraid of Third Reading Debates upon Private Bills in this House, or of attempts to re-commit Bills. I should even be more afraid of Second Reading Debates. At present, on Second Reading, the House of Commons does not really commit itself upon the merits of the Bill in any way, but merely says a *primâ facie* case has been made out to be inquired intoupstairs; but if a Bill, after the Second Reading, is to be sent to a Commission for investigation, things will be very different. Then the House must be taken, on the Second Reading, really to affirm the principle in a way it does not now, and, in fact, this is the main argument of the right hon. Member, who is really the father of this scheme. The right hon. Gentleman the Secretary of State for War (Mr. Stanhope), in his evidence before the Committee, said—

> "I think it very desirable that before the parties are put to the expense of a contested inquiry Parliament should have pronounced to a certain extent an opinion upon the principle of the measure submitted to Parliament."

That seems to me to be putting the cart before the horse. You could not have a Debate on the principle of a Private Bill before the inquiry, because the real principle at stake does not come out clearly till after the full discussion in the Committee. Whenever you want to oppose a Private Bill you can find some fine big principle on which to oppose it. I was concerned in a Bill for making a tunnel under the Clyde at Glasgow. That was opposed by the Corporation on the ground that the harbour of Glasgow was essential for the prosperity of Glasgow, and that to interfere with the harbour in any way would be absolutely fatal, and therefore it must not be allowed. The real difficulty lay in the question whether the scheme did in any way affect the harbour of Glasgow, and it took a fortnight upstairs to make it clear to the Committee that the harbour of Glasgow was in no way interfered with. In proposing a scheme of this kind, why make two bites at a cherry? Why do you have these preliminaries—the expense of the House fees, the chance of delay on the Second Reading, the chance of delay on the Third Reading—when your intention is to put the decision practically into the hands of an outside Commission? Why do not you go a bit further? Why not let the whole thing come before the outside Commission from the first, and without restrictions as to Parliamentary time and notices? Why not let the matter be brought up at such time of the year as will suit the parties interested? Why not let a Bill be discussed before the outside Commission, and then have it laid on the Table of the House—the course adopted in the case of an educational scheme? The House could then express its opinion upon the measure. That was the scheme put forward by the Chairman of Committee of Ways and Means before the Committee of the two Houses, and that seems to me to be a far more satisfactory scheme than the present. I believe that if the present scheme be not amended it will lead before long to the adoption of such a scheme as that of the Chairman of Committee of Ways and Means, because of the extent to which it will be found to hamper the House of Commons.

(7.17.) MR. MUNRO FERGUSON (Leith, &c.): I do not think that anyone who intends to support the Motion of my right hon. Friend the Member for the Stirling Burghs (Mr. Campbell-Bannerman) will be disposed to dispute the statement that there exists in Scotland a very strong demand for reform of the system of Private Bill legislation; but, on the other hand, I am inclined to demur to the assumption of the hon. Member for Roxburghshire (Mr. A. Elliot) that public opinion in Scotland is decidedly in favour of the particular measure which is now before the House. I believe it will be found that the people of Scotland are by no means desirous of having another Commission or Board added to the numerous Boards which already exist and which hamper many of our local institutions and authorities. This Bill proposes to withdraw from this House the function of supervising Private Bill legislation. I do not think that public opinion in Scotland will be satisfied until they have all Bills relating to Scottish private affairs inquired into locally, and I do not think it is possible, as has been urged by some Members, to differentiate between Railway Bills and other Bills, so far as local inquiry or local administration is concerned. It is obvious that wider powers might be given to Local Authorities in the sense of them being enabled to carry out operations in the public interest, without reference to any legislative body whatever. It is absurd to say that in a case of this kind a Local Authority would be acting as the promoter of its own Bill, because a Local Authority would, by a suggestion of this kind, have the power to deal with the questions which came before it, of course being obliged to give fair compensation wherever private rights were interfered with. With regard to railway legislation, if it be possible to send one Member of the House of Commons to Scotland to inquiries of this kind, it would surely be possible to find two to go, and it might reasonably be expected that two Members of the House of Lords might be found to go there also. A Committee composed of Members of Parliament sitting in Scotland would be in no way different from the Committees who consider the railway and other Bills upstairs. I can quite imagine that the great railway companies may be able to conduct their business as cheaply in London as in Edinburgh or any other locality in Scotland, but that is not so in the case of the smaller railway companies, or in the case of those people who oppose the Bills of the great companies. I have personal experience in this matter beyond serving on Committees of this House. I have had to slightly oppose a railway Bill, and have found it an extremely extravagant undertaking. I have also been engaged in the promotion of a Bill, and I have found that in consequence of another Bill engaging the attention of the Committee for a longer period than was expected, the cost of promoting the Bill was trebled. That trebling of the cost arose through the necessity of keeping hosts of witnesses hanging about London so long. No words can express too strongly the feeling in Scotland in favour of a change in the present system. That feeling has been considerably strengthened of late by Home Rule sentiments. No doubt a considerable number of municipalities and Chambers of Commerce have petitioned in favour of the Bill, but the Town Council of Edinburgh has not petitioned in favour of the Bill. The Town Council of Leith, the port of Edinburgh, has petitioned in favour of a local inquiry, but objects to the constitution of this Commission. It is realised in Scotland that by this system of a Commission you are taking away from representative bodies the power of deciding questions of local concern. You are embarking in the direction of a bureaucracy. You are embarking on a course that will lead to the bitterest opposition in Scotland. This is a Bill which ought to be opposed tooth and nail, because of the principle that this Commission, which is practically a judicial body, will supersede the representatives of the people. We do not denounce the Bill without having an alternative course to propose. That alternative course is that the local authority should have the power to deal with such matters as gas, sewage, the acquirement of land, and so forth, by virtue of their own Acts—of course subject to the provisions of the Lands Clauses Consolidated Act—and that any matters of graver import should still remain within the category of private Bill legislation. We also suggest there should be either a Committee of Members of Parliament, or if it should be necessary, some general Commission, which should deal with the whole Private Bill legislation of the three countries. I think there might well be a mixed Committee of Lords and Commons.

(7.25.) MR. R. T. REID (Dumfries, &c.): I only wish to say a very few words. Although I agree with many of the criticisms of the hon. Gentleman (Mr. Munro Ferguson), I am not able to arrive at his conclusions. I think that the Bill is by no means an exhaustive Bill; that in many respects it is defective, and ought to be greatly improved in Committee, but I am not prepared to vote against the Second Reading of a Bill, the purpose and effect of which is to give to localities facilities for bringing their Bills before a local tribunal and at a far less expense than is at present incurred. I think there is considerable weight of opinion in favour of the Second Reading, at all events, of this Bill. We have the recommendations of a Committee in favour of the Bill, and we have received Petitions from a large number of Public Bodies in Scotland in favour of the measure. I am not aware that there is any substantial opposition. Then it has been stated most emphatically that no words are too strong to express the disgust and discontent of the people at the delay and expense and inconvenience and worry which is caused by the present Private Bill system of Scotland. We must remember that the House is overcrowded with business, and that the present system is extremely expensive. No one will persuade me that it would cost as much money to inquire into a Scotch Bill in Paisley or Perth or Dumfries, or anywhere you like to name, with local counsel and local solicitors and witnesses at hand, as it would cost to inquire into it before a Parliamentary Committee here. The feeling against the present system is certainly increased by the tendency of what we may call Home Rule sentiment, which is greatly increasing in Scotland. Therefore, it is obvious that some change must take place, and the question is, what change should it be? The right hon. Gentleman the Member for Stirling (Mr. Campbell-Bannerman), with whose speech I agree, though I do not agree with his conclusions, would have us extend to municipalities power to acquire land for public purposes. Now, upon this we had a discussion last year and a Division in which the Government could only secure a majority of 16, a majority which, I think, under more favourable circumstances we might convert into a minority. I am certain it will be necessary to confer this power, that it can be done with security, and that it ought to be done as soon as possible. But because I cannot get this now am I to vote against the Second Reading of a Bill which confers certain present advantages to Railway Companies and Municipalities for the purpose of getting their Bills through? I do not think I am justified in voting against the Second Reading. I also think that the criticisms of my right hon. Friend (Mr. Campbell-Bannerman) and of the hon. Member for Aberdeen upon the composition of the Commission were powerful and unanswerable. I noticed that the Lord Advocate said it was not intended that this should be a Commission composed of lawyers, but he proposes there should be a Judge upon it, and I assume that the other Member to be named by the President of the Court of Session will be of the legal profession. Now, I must express my strong dissent from the proposition that lawyers or Judges should take part in practical legislation. The business of a Judge is to decide between man and man according to law, of which he is an honest and capable interpreter, but he is not necessarily the wiser in deciding legislation. Indeed, for my own part, I do not entertain any great confidence in the political judgment of Her Majesty's Judges here or in Scotland. These are the views I entertain, and largely agreeing, as I do, with the observations of my right hon. Friend (Mr. Campbell-Bannerman), I look upon his Amendment as a *non sequitur*. It is not necessary to throw out this Bill instead of amending it, because we entertain the opinion that Municipalities ought to be entrusted with increased powers. Under the circumstances, I hope the Government will, in Committee, enable us to improve the Bill in accordance with suggestions made from this side of the House, and certainly I am not prepared to oppose the Second Reading.

(7.35.) MR. BRYCE (Aberdeen, S.): The House is listening to a rather singular Debate this evening. The discussion is entirely conducted from this side, no Member of the Government rising to answer the arguments advanced, and there is a very scanty attendance of English Members. This is a matter of some importance, because, after all, though the Bill relates primarily to Scotland this is not by any means a purely Scottish question. The Lord Advocate has admitted it is a sort of trial trip—an attempt to apply an experiment to Scotland which afterwards may be used over a larger field in England. Therefore, it is a question which ought to command a good attendance of English Members, and upon which English Members having large experience of the proceedings of Private Bill Committees might give us their views. Hardly anything has been said except in dispraise of the Bill. No doubt, several Members have announced their intention of voting for it; but all have indulged in very drastic criticisms. There is scarcely any part of the rigging through which shots have not passed. Under the circumstances, it becomes worth while to consider whether the Bill ought to be proceeded with, and whether it would not be better to wait for some more adequate measure to be presented. One hon. Member has suggested that the inquiry by Select Committee should include the whole question whether or not the Bill should be extended by carrying out, not the plan of the Lord Advocate, but the plan of the Chairman of Committees, which was to refer the whole of the proceedings on a Private Bill to a Commission which should deal with all its stages—the First, Second, and Third Readings. When the hon. Member for Partick (Mr. J. P. Smith) suggests that the scope of the Bill should be so largely altered, his speech cannot be regarded as one in favour of the principle of the Bill. I should like to recapitulate our objections to the Bill. In the first place, we object *in toto* to the constitution of the Commission, and it is worthy of notice that no single Member who has supported the Bill has said a word in favour of this point, and, in fact, the Lord Advocate has given up this point, and says the Government are willing to agree to a complete alteration in the composition of the Commission. This is one of the points upon which public opinion in Scotland is unanimous. I have tried to ascertain what is the feeling in Scotland, and I have made inquiries from my colleagues, and, I think, they all agree that while there is a strong desire in Scotland that there should be a change by the cheapening of the present process, and if possible provision made for local hearing, there is an equally strong objection to throwing the whole matter into the hands of what is known in Scotland as Parliament House. When the present occupant of the position, now of advanced age, of President of the Court of Session vacates his office, and we hope it may be at a distant date, whoever succeeds him will probably be a much younger man, and he may have uncontrolled possession of the valuable piece of patronage this Bill would confer for perhaps 35 years to come. The next point I should like to submit is, there is no provision in the Bill for dealing with the question of instructions to be given to a Committee or Commission. This is of more importance than at first sight appears. It is not at all uncommon when a Bill is going to a Committee, for the House to give instructions to the Committee to deal with particular matters which, according to the ordinary rules of procedure, it would not have been competent for it to entertain. I remember such instances as the preservation of buildings and antiquities within an area to be dealt with by a Railway Company, and even the question of how the scenery of a district might be effected by a railway has been made the subject of an Instruction by the House, and has been dealt with by a Committee. A Commission sitting at Glasgow or Edinburgh would be a very different body to a Committee sitting upstairs, and it would be more difficult to make an Instruction applicable to the Commission. This is important, particularly in regard to Railway Bills where a Railway Company is empowered to take land; it is a point which has often been fought out here, and companies have often been defeated. As a safeguard it is very important that the House should have the power of giving these Instructions, and of seeing that the body appointed to deal with a Bill is, so to speak, attuned to the temper and feeling of the House, not looking at a question as a purely legal tribunal, but understanding the sentiment the House entertains on the matter. But this is a point that seems to be entirely ignored in the Bill. Then I come to the distinction my right hon. Friend (Mr. Campbell-Bannerman) has drawn between the classes of Bill to which the Bill shall apply. Speaking broadly, there are two classes of Bills—those promoted by Railway Companies and Bills promoted by municipal and similar bodies. Now, as regards railway Bills, there is no general complaint from Scotchmen; it is a question for Railway Companies. It is no public grievance that Scottish witnesses are brought up here to give evidence; but, on the contrary, I think it is regarded as rather a pleasant opportunity for a sojourn in London during the season. But I should like very much to have information from the Lord Advocate as to his view of the distinction to be taken between Bills exclusively relating to Scotland and Bills which might also affect English interests. Several Members have given instances of Bills which at first sight might appear to be of an exclusively Scottish character, Bills involving some local extension in the very centre of Scotland, which yet may be found to involve the interests of English companies in relation to running powers, so that these English companies could establish a *locus standi* before a Committee. It is material to know what is in the mind of those who prepared this Bill as to the distinction to be drawn between Bills which are exclusively Scottish and Bills partly Scottish, partly English. It might turn out that Bills exclusively Scottish would be comparatively small in number, and the value of this measure, so far as Railway Bills are concerned, would be very largely lost. With regard to Municipal Bills, there is almost a universal consensus of opinion on this side of the House that the proper way of dealing with these matters is by enlarging the powers of Local Bodies. The Lord Advocate seemed to think it was a sufficient answer to say that Local Bodies are themselves promoters of Bills, but surely that is not a sufficient answer. Railway Companies have their private interests to serve, but Municipalities represent the interest of the community. Our Scottish Local Authorities are honest bodies. It is not personal interest that is sought by Town Councils, but the interest of the ratepayers. Why, therefore, should they not have the power, under proper safeguards under general Statutes which lay down principles, to take land themselves after conducting an inquiry, instead of coming here for the purpose? Nobody will allege there is any likelihood of any peculiar abuse of such power by Scottish representative bodies. Of course this opens a large question, but it is a question which should be dealt with, and the Government should have reasons to show that it would not be possible to have general legislation imposing proper safeguards, which would sufficiently define the powers Local Bodies might exercise without continued recurrence to Parliament. There are countries — for instance, the United States—where such powers are exercised; and surely it does not pass the skill of Parliament to provide an Act, which, while guarding from all dangers, would remove the difficulties and expense of promoting a Bill for local purposes in this House. The question does not rest entirely on the ground of expense. There are many small improvements, but yet of some importance to the inhabitants of localities, which would be carried out if it were not for the formidable aspect which an application to Parliament presents, not only in the prospect of opposition to be encountered, but in the fees which have to be paid. Altogether, therefore, I think that I may fairly say that this is a point as to which Scottish opinion is most agreed, and for which a remedy is most wanted. I will not repeat arguments which have been addressed to this point, but I think I am not going too far when I say that the result of the Debate seems to show that although there is a strong wish in the minds of the Scottish Members that the question should be dealt with, there is at the same time a general conviction that this Bill will not substantially advance the question, and that it ought to make way for a more complete scheme.

(7.46.) MR. SINCLAIR (Falkirk, &c.) : My hon. Friend has referred to the character of the Debate, but I think we may congratulate ourselves that the Government have brought forward this Bill rather as a useful than a popular measure, and the criticisms have been intended rather as of a useful than as of a disputative character. This question of Private Bill legislation was originally taken up by the late Mr. Craig Sellar when no difference had arisen in the Liberal camp, when it was not then, and need not now be, discussed in a Party spirit. My hon. Friend has referred, as other speakers have referred, to an alternative measure to give further powers to Municipalities by which they would be able to do these things which they now have to come to Parliament to obtain powers for. The arguments of my hon. Friend would be true with regard to a certain set of subjects, but not with regard to all. We have been told about the necessity of powers for acquiring land, and it would be perfectly possible to enable Municipalities to obtain such powers under the Lands Clauses Consolidation Act; but take such a class of cases as is involved in the desire of a Municipality to obtain an additional water supply. In such a case a Municipality would require to go outside the boundary of the locality, and it is impossible to imagine that power should be granted to any Municipality to deal with such a question as that. There must be another and extraneous power to look into the whole question, and to see that the rights, not only of private individuals, but of other Public Bodies are respected. I believe that there is a general consensus of opinion in Scotland in favour of a measure of this kind. I do not say that there is an opinion in favour of all the details of this measure, because they have not yet been laid before the country as they will be by this Debate; but practically I think that, so far as they have been discussed, the details are only opposed by Glasgow, while the larger towns and cities of Scotland are hesitating and doubtful; but all the smaller Municipal burghs are very favourable to the proposals contained in the Bill. Speaking on behalf of my own constituency, I can say that I have already presented from two burghs I represent petitions in favour of the Bill, and at one period or another I have presented Petitions in favour of the former measure of the Government dealing with this subject. The principle of the Bill which the House is now asked to affirm is this, that there shall be a local inquiry into local wants. All else is matter of detail—important detail, I admit, and the manner in which the Government have approached the subject, expressing their willingness to consider these details, is, I trust, an earnest of the manner in which the Committee to be appointed will look at the measure, and that we shall have it enacted into law in a shape to advance the interests of localities and of the country generally. There undoubtedly may be cases where it would be desirable to have inquiries at Westminster rather than in localities, and I think it would not be difficult, foreseeing such cases, to provide for them as they arise, and I would propose to the Government that they should seriously consider whether an Amendment should not be introduced whereby, if the promoters and opponents of any scheme unite in desiring that the inquiry should be held not in the locality, but at Westminster, the option should be allowed. I believe an Amendment of that kind would commend itself to the country; it would not often be required, but occasionally it might be useful. Undoubtedly, the people of Scotland do desire that the expenses of obtaining Local Bills should be greatly reduced, and the fact, I think, was mentioned by the right hon. Gentleman the Member for Stirling (Mr. Campbell-Bannerman) that the average number of Local Bills presented is only 10 annually. In the case of Ireland, if we except railway projects and Bills promoted by the Municipality of Belfast, we scarcely have an Irish Private Bill brought under our consideration. It is most unfortunate that the expenses of unopposed Bills should be so great; and if it were possible for the Government to draft some proposals by which those expenses should be reduced, a great advantage would be conferred on the community. The hon. Member for Aberdeen (Mr. Bryce) has referred to the advantage there is on the Second Reading stage of giving an Instruction to a Committee, and, so far as I understand, it will still be possible under the Bill to issue such an Instruction. I believe that with Amendments suggested from various quarters, and those I have alluded to, a measure may be passed into law which will be received with great gratification in Scotland, and that it will ultimately work for the benefit of the whole community. (7.55.)

(8.30.) MR. SHIRESS WILL (Montrose, &c.): It occurs to me that there are three fundamental mistakes which lie at the root of the measure we are now discussing. It is agreed that there is a strong opinion in Scotland in favour of cheapening the expense of Private Bill legislation, and I also gather that there is a considerable feeling in favour of local inquiries, although that feeling is not for local inquiries entirely as such, but rather as a means to an end, that end being the lessening of the cost of Private Bill legislation. It appears to me that the first fundamental mistake that has been made is the entire disregard of the first and foremost item in the cost of that legislation, namely, the question of the fees exacted by this House, which, as the House must have seen, are very heavy. The second mistake made by the framers of the Bill is that they have omitted to consider the propriety of curtailing the initial expenses attending the issue of the various notices which are requisite before a Bill can be proceeded with. The third mistake is that, assuming a Commission to be necessary, the framers of the Bill have chosen the most cumbrous and most costly form of Commission that could be devised. In regard to the first point, we have had some figures put before us in the Return moved for by Lord Monk Bretton three years ago, a Return showing the amount of fees exacted by this House over a period of 11 years, the total cost during those 11 years having been £380,000, while with the cost of the fees charged by the other House, the annual amount of fees exacted by Parliament amounted to between £50,000 and £60,000. Well, what is the result? Is all this necessary for the purposes of the work of Private Bill legislation, or does it act as a tax on public enterprise? It has been so described, and I submit that it is such a tax. Attention was incidentally called to this point by the Commission of 1888, and I take it from their Report that the annual surplus of the fees received by the two Houses is £40,000. Now, I feel quite sure that the House will see that it is neither dignified nor just, nor do they mean it in that sense, to exact so large a tax from those engaged in public enterprise as to produce an annual surplus of

£40,000, after all expenses are paid. The right hon. and learned Gentleman the Lord Advocate has told us he has a free mind on the subject of this Bill generally, and I will ask him whether he has a free mind on this particular question of the House fees? I know that it will be said that, so far as regards the House fees for daily attendance before Committees, they will be saved; but it must be kept in view that there will be a counterbalancing expense placed upon the promoters in the cost of carrying the Court down to the locality where the inquiry will have to be made. My next point is that the expensive notices which have now to be published by the promoters of Private Bills are entirely unnoticed in this measure. There is no provision for dealing with these notices, and I doubt whether it would be competent for us to go into that matter in Committee, seeing that it is not within the general scope of the Bill. We are, I think, pretty generally agreed that the notices which have to be published in October or November are of unnecessary length. Granted that they are necessary, as no doubt they are, I think that experience has shown that other means might be adopted instead of those lengthy notices of calling attention to the provisions of Private Bills. Notice, of course, must be given; but what I especially desire to point out is the undue length of the notices as at present published. They are so long that nobody reads them, and they have to be inserted over and over again in a manner that adds immensely to their cost. Indeed, we have heard of one case in which the cost of those notices, prior to the deposit of a Bill, amounted to upwards of £200. I think that the omission of this matter is a very grave defect in this Bill. With regard to the Commission which is proposed by the measure, let us see what it is that the Bill proposes. Towards the end of the inquiry before the Select Committee of 1888, a scheme was shadowed forth by the Minister for War, which is in reality the scheme upon which this Bill has been framed. That scheme, however, is one which was not considered by any of the witnesses, and it has been imported into this Bill *en bloc* without due consideration. I will not repeat the arguments that have been brought against the proposed Commission, many of them with great justice; but I will say that having had some experience in regard to Private Bill legislation, I think that the tribunal here proposed is not likely to be found satisfactory. However fair and just the Scotch Judges may be, I think the principle of putting a Judge to preside over such a Commission is most objectionable, because you put him in the position of dealing with matters of policy, whereas he has hitherto been accustomed to deal only with matters of law such as, for example, the construction of deeds and Acts of Parliament. It is said, however, that a Railway Commissioner is to be associated with the other Commissioners. The Railway Commissioners are chosen for a very different purpose. They are selected because of their great knowledge of questions affecting railway traffic and railway rates, and I ask the House how can this knowledge possibly render them specially adapted for dealing with the thousand and one questions of policy which affect matters of railway enterprise, gas, harbours, sewage farms, and things of that kind? They are no more specially fitted for dealing with such questions—and I am sure they do not claim to be—than their neighbours. It is also stated that a Member of Parliament is to be associated with the Commission; but although the House may approve of this appointment, what, I ask, is one amongst so many? The most objectionable appointment of all is that of the fourth Commissioner, and it is this appointment which creates so much suspicion in Scotland. Even now we do not know the special class from which he will be taken, and we have no suggestion as to who that Commissioner is likely to be. As regards the responsibility for his appointment, it is an objectionable feature that it is placed in the hands of the Court of Session, the consequence of which will be that no one in this House can be held to be responsible for his appointment. Beyond this, the Commission is to be a migratory one, the great fault of which is that, instead of diminishing the cost of those inquiries, it will in reality add to that cost very largely. Let me ask the House what will happen when notice has been given of the Bill for a particular locality, say Aberdeen? The Post Office and Telegraph Office will at once be put in motion for the purpose of bringing down the Railway Commissioner from London; then the same process will be resorted to for bringing down a Member of Parliament from London, while the Judge will start with his staff from Edinburgh to Aberdeen. When these persons get down there, they may, first of all, be called upon to deal with a question of *locus standi*, and it may be that when they have heard the objections on that point, they will find that there is no *locus standi*, so that the whole of the expense which has been incurred will have been absolutely thrown away. Then, assuming the *locus standi* question has been got over, and the Commissioners are called upon to inquire into the merits of the case, how often does it happen that the moment the case is begun, it becomes transparent that the petitioner has misjudged his rights, and that there is nothing of substance in the opposition. Again, in that case, all the expenses incurred are so far wasted. Under all these circumstances, I do press upon the House the fact that the scheme now proposed will, instead of lessening the cost of these inquiries, very materially increase them, both in the case of the promoters of Private Bills and in the case of those who have to appear against them. I quite admit that the saving of expense to the opponents of Railway Companies' Bills ought also to be taken into account. Another defect in the Bill is that every Bill, no matter what its nature may be, is to be tried by this Commission so long as it exclusively relates to Scotland. There may be a class of cases proper for local inquiry, and some Committee — whether the Committee of Selection or some other, such as a Joint Committee of both Houses—may select those and send them down for local inquiry, under suitable conditions. With reference to increasing the powers of the Municipal Authorities, I quite agree in much that has been done. But I think due attention ought to be paid to the remark of the hon. Member for the Falkirk Burghs, who pointed out that a Local Authority might come for a Water Bill, which proposed an enterprise into the domain of some other Local Authority. We do not intend that cases of that kind are to be left to the municipalities to do exactly as they please. The Lord Advocate would, therefore, be entirely mistaken if he fancied that that is the class of case to which the right hon. Gentleman the Member for the Stirling Burghs referred. If I thought that this Bill was one which would conduce to the fulfilment of the desires of the people of Scotland in lessening the cost of legislation, I, for one, would give it my support. But it is because I believe that it would have the contrary effect, and that it is deficient in fundamental principles, that I support the Amendment which has been moved.

(8.50.) Sir A. ORR EWING (Dumbarton): Mr. Speaker, there is no doubt that this Bill has the unanimous support of the people of Scotland. The hon. Member for Aberdeen laughs at that statement, though the city which he represents is in favour of the Bill. I believe I do not make a mistake when I say that every burgh in Scotland is in favour of the Bill. True, Leith has not spoken, and Edinburgh has not spoken—I think the hon. Member for Aberdeen said that Edinburgh has spoken. The Parliamentary Committee of the Edinburgh Corporation, to which all Bills are referred, recommended to the Town Council that a Petition should be forwarded to this House to day in favour of the Bill. But a certain portion of the Town Council, men who bestow the freedom of the city and then want to take it back—men who I do not say are the highest intellectually, or highest in any way whatever—have prevented this Petition from coming before us. But if the hon. Member says that Petition was against the Bill, I utterly deny the statement. I think the House should follow the example and advice given by the hon. Member for Dumfries. He does not altogether approve of the Bill, but he says it is not a measure which ought to be thrown out on the Second Reading. He thinks it is the kernel of a good Bill, and he trusts the Second Reading will be passed, and that when it is sent upstairs it may be modified, so as to meet with the general approval of the Members for Scotland, and so confer a great benefit on the people of that country. The great objection to the Bill is raised that England is not included. Well, we have a great cry in Scotland for Home Rule, and here is a Bill which gives to our country Home Rule; yet because England is not getting it Scotland is to be denied it also. Is that a position for hon. Members to take? I believe that if this Bill passes England will not be long without a similar measure being conferred upon it. Had it not been for the death of an hon. Member (Mr. Craig Sellar), I believe a Bill would have passed this House including England, Ireland, and Scotland in respect to the passing of private measures. Another great objection to this Bill is that it savours too much of Parliament House in Edinburgh. Parliament House is an institution of which all Scotchmen ought to be proud, and I believe it never stood higher in the estimation of Scotland than it does at the present moment. But if you object to this Bill the Lord Advocate has frankly stated that he is prepared to consider and meet objections in Committee upstairs, with a view to bringing it into accordance with the general feeling of those who represent Scotland. I think you will make a mistake if you attempt to throw the Bill out on the Second Reading. It may not be all you want, but, at all events, it is the kernel of a measure which has the approval of all loyal Scotchmen to whom I have spoken. You may be able in Committee to put the Bill into that form which will enable you to give it your unanimous support; and I trust that Scotland will no longer be without this measure of self-government, which all feel would be of great benefit to that country.

(8.56.) DR. CLARK (Caithness): Sir, I have to congratulate the hon. Baronet on becoming a Scotch Home Ruler, and that he is able to bear testimony to the popularity of that movement. And I must congratulate the Lord Advocate upon also becoming a Scotch Home Ruler, though probably he is not without cognisance of the circumstance that he is to be opposed by a Conservative who is likewise a Scotch Home Ruler. Two years ago, when the question of Scotch Home Rule was raised, the right hon. Gentleman introduced four Bills, in consequence of which I had to make my Motion on the subject much stronger than I had intended. Of the four Bills, two are passed, and this is the third. The fourth is still in the position in which it was two years ago—I refer to the Bill for the reconstruction of Parochial Boards. The Lord Advocate says the present Bill is based on the National sentiment of Scotland, throughout which country there is a demand for it, which has been matured during the last three years. The right hon. Gentleman has said some strong things which could be used in support of a greater degree of devolution than this Bill proposes. He said that we could not expect in London that vivid and accurate understanding of these questions which were to be found on the spot. Sir, I have to congratulate the Lord Advocate upon his position, and I hope it may not be necessary for his young opponent to fight him in his constituency. Probably he has been studying history since we discussed this question last, and he has changed his views. This proposal is very interesting. Look at the question from the historical standpoint. Two centuries ago every Private Bill was referred to the Judges, who heard the witnesses and reported everything. Why did we change that method? Simply because the Judges were not in accord with the developments taking place around them. They were bound by precedent, and the result was that the thing was taken out of their hands. Well, now, I am not going to enter into an historical description of the affair. This question came up in 1846, and if you look at the reports of the Debates in this House in that year you will find that the arguments then used are those which have been advanced to day. On that occasion a Royal Commission sat, and recommended this system of local inquiry —the system which, as I take it, constitutes the principle of the Bill. That recommendation was carried into effect by legislative enactment in 1847. A large number of local inquiries were held, with the result that the system was found not to work successfully, so the Act was repealed. In the present Bill the system has been somewhat modified. Now, the Act of 1847 was destroyed by one fact, and that was that the local inquiry system was found to be too expensive. The right hon. Gentleman the Secretary for War laughs at that assertion; but I repeat that that was the great blot, because under it promoters of schemes had a double battle to fight—one at the local inquiry and one before a Committee of this House. Probably we shall be told that by a certain sub-section the House will be prevented in the future from appointing a Select Committee on a Private Bill; but even then you will have the merits of the scheme discussed on the Motion for Second Reading, and thus you will be going back to the old position of debating these matters in a full House, with the result that you will give a splendid opportunity to those who wish to obstruct business, and there will be an intolerable waste of public time. At any rate, the system adopted in 1846 has been shown to have failed on the ground of excessive cost. It may be that the modifications proposed under this Bill now before us will do away with the necessity for second appearances here, but that will only be at the cost of a Debate on the Second or Third Reading in a full House. The Lord Advocate has argued in favour of this Bill on two grounds. First, that of the convenience of suitors; and, secondly, that of cost. Now, I do not think that if this Bill is carried there will be fewer trips to London, and consequently less cost, as he suggests. On the contrary, I expect you will have more of them. There will be an intolerable amount of lobbying, and we shall have Municipal Committees and others coming up to town to interview Members, so that the new system will prove quite as costly, if not more so, than the one now prevailing. The hon. Member for Roxburghshire did not discuss the Amendment of the right hon. Member for Stirling Burghs. Instead of that he replied to the letter of Mr. Littler, and if he had devoted himself to the Amendment, I think he would have utilised the time of the House more satisfactorily. I am not opposed to the principle of local inquiry, but I am strongly opposed to the establishment of a Commission such as that which is shadowed forth in the Bill. If it had been proposed to appoint two Members of this House at the beginning of every sitting, and two Members of the other House to act as a Joint Committee to consider these matters, with power to make local inquiries, then I think the scheme would have been a reasonable one, but I shall certainly vote against the appointment of a Commission. I strongly prefer to support the scheme shadowed forth in the speech of my right hon. Friend the Member for Stirling Burghs. What is that scheme? That scheme is to carry out what the people of Scotland want, and in a fashion that will suit the Scotch people. We are asking for some system that will lessen the time and cost now entailed in carrying Private Bills through Parliament, and you are simply offering us instead a system which will increase both time, trouble, and cost. We want in the first place the present cumbrous methods to be got rid of; and we want, in the second place, the intolerable and absurd costs now enforced to be abolished. Why should we pay for the Second Reading of a Bill in this House as much as 15 guineas, and why should we pay from 81 guineas to 135 guineas for a Second Reading in the other House? We know that at one time the fees used to be given to the clerks and officials, and that even in this House the Speaker had a large proportion of them; but we do not now require to raise money in this way for the payment of the officials, and I do not think that the enterprise of small Municipalities should be burdened as it is burdened under the present system. Now recently a public-spirited gentleman in Thurso was anxious to make a little harbour of refuge there, and he had to come to this House for Parliamentary sanction. The Bill was an unopposed one, but he had to pay £81 for the Second Reading in the House of Lords, and he also was called upon to pay all other preliminary fees. In fact the expenses ran up to something like £700 or £800. Now, we want to have a system by which the promoters of unopposed Bills will not have to pay these heavy sums, which amount sometimes to as much as 10 or 15 per cent. of the entire cost of the projected undertaking. This is a grievance which you are not touching by your present Bill. What does my right hon. Friend the Member for Stirling Burghs propose to do in order to amend this form of procedure, to lessen the intolerable burden of costs, and to give greater powers to Local Bodies? He would have a general measure very much on the lines of the Police and Public Health Acts of last Session. We know that in Glasgow some vast socialistic experiments are now being tried, as, indeed, they are being tried in other Municipalities. We are aware that some of these Municipalities have their own tramway systems, their own gasworks, and their own waterworks. They have trusts of various kinds in which millions of money are invested. They have lodging-houses for hundreds of people, at which a night's lodging can be obtained for a sum of 4½d. The example which Glasgow has set in this direction is being followed by many other towns; and all we ask you to do is to give us a Bill which will grant the Municipalities more extended powers, and relieve them of the burden which is now imposed upon them when they wish to carry through any new scheme. We really want a system of Provisional Orders—a system at once easy and cheap—by which the Municipalities having control of matters of local government will be able to carry out whatever public-spirited schemes they are willing to undertake, and which will enable them to expend the public money simply, for instance, with the consent of the Secretary for Scotland. If this concession is made to us we shall be able to push forward many valuable improvements. The First Lord of the Treasury and the Lord Advocate are already both pledged to consider the possibilities of adopting some method by which County Councils will be able to erect piers and to create harbours without having to incur the heavy expense of passing Private Bills through this House. That is what we in Scotland want. We have been told by the hon. Baronet who last spoke that this is the first effort of the Government to give what all loyal Scotsmen want, and that this is the power of determining their own affairs. But you are not doing that. You are keeping up a barrier; you are maintaining costly barriers, which prevent desirable internal reforms. I very strongly object to the appointment of this Commission. Every Committee of this House which has sat to consider this question has almost unanimously reported against these questions being handed over to a Commission, on the ground that legislation conducted by means of such a body would be more cumbersome and more costly than under the existing system. One argument against the Commissions is that they lay down certain principles of law and stand by them; they are bound by a system of red tape. Mr. Dodson (Lord Monk Bretton) and Mr. Leigh Pemberton both strongly opposed the system of appointing a Commission, and supported the decision of these Bills by Committees of this House. An hon. Baronet spoke of the Parliament House at Edinburgh. I say that the proposal to govern one of the most democratic countries in the world by means of irresponsible Boards was a most objectionable one. I desire to see the rulers of Scotland responsible to the Scotch people. It is a mistake to suppose that by handing over this business to a Commission the conduct of Public Business in this House will be facilitated, because in nearly every case there would be an appeal brought from the decision of the Commission to that House. Either the House ought to maintain its unfettered control over private business, or else it should delegate the whole of its power over such business to the Commission. But it seems to me you are doing neither the one nor the other in this case, for you are simply reverting to the bad system of 150 years ago.

*(9.26.) THE SECRETARY OF STATE FOR WAR (Mr. E. STANHOPE, Lincolnshire, Horncastle): I intervene with some reluctance in a Debate which has hitherto been conducted exclusively by Scotch Members, but I do so because I venture to claim to have some little experience with regard to Private Bill legislation, and I hope that I may usefully bring some points under the notice of the House. The first question that I should like to reply

to is why the Government have not brought in a general measure applicable to the three Kingdoms rather than one which is applicable to Scotland alone. I think that the discussion that we have listened to to-night is a sufficient answer to that question. Although I myself would have gladly seen a general measure introduced, still I think that the Government have acted prudently in introducing in the first instance a measure dealing only with that portion of the United Kingdom in which there is an urgent desire on the part of the people that some legislation of this character should be effected. That being so, I come to the scheme of the Government as its has been presented to the House. I do not think that it is possible to exaggerate the interest and the importance of this proposal, because if it is successful in Scotland there is every prospect that a similar system will be applied to England and to Ireland. It is therefore somewhat disappointing for the Government to find that many of the Scotch Members appear to be hesitating as to whether they will accept this Bill or not. The right hon. Member for Stirling has suggested that the Government should have exercised great caution and should have directed inquiries to be made into the subject before they laid this Bill before Parliament. I should have thought that there has already been sufficient inquiry made, and that the Government have waited sufficiently long before introducing this measure. Year after year the subject has been brought before Committee after Committee, and the whole question has been discussed and reported upon by a strong and influential Committee on which were placed the most prominent Members of the House, and the decision at which that Committee arrived was that the House ought to give up to a large extent its control over private legislation. In consequence of that Report several Bills have been introduced in this House. Those Bills have been discussed over and over again, and I well remember that the principle in the Bill proposed by my hon. and much lamented Friend the late Member for the Partick

Division (Mr. Craig Sellar) was received very favourably here, and whenever it was mentioned in Scotland was immediately seized upon by Members and candidates as something they desired to carry through for the purpose and intention of getting Private Bill legislation to some extent away from this House. A Committee of great importance, composed of Members of great acquaintance with the subject, chosen from both sides of the House, and representing every portion of the United Kingdom, came unanimously to the conclusion which is embodied in this Bill. It is, therefore, impossible to say that the Government are not dealing with the matter after it has been thoroughly investigated, and in accordance with the mature judgment of, at any rate, some of the most important Members of the House. In these circumstances it does seem most remarkable, when a Bill is brought forward for accomplishing the object in view, that now Scotch Members who up to the present time have unanimously been in favour of the general principle——[*Cries of* "No!"] Well, they have said so in the country—that they should now turn round and because it is the Government that has brought in the Bill, should be almost as determined in their opposition to it as they have formerly been in their support of its principle. The Government adhere to the recommendations of the Committee presided over by Lord Monk Bretton, and they do not desire to get rid of the jurisdiction of the House in matters of Private Bill legislation. [An hon. MEMBER: "It was not unanimous."] It was, except on one point. One Member of the Committee voted in favour of the proposal of the Chairman of Committees, and all the other Members for the principle contained in the present Bill. The utmost possible respect is due to any opinion put forward by my right hon. Friend the Chairman of Committees, but I believe the House generally will agree that it is not right at once to make so drastic a change as would be involved in depriving the House of its control over Private Bill legislation, while they would be prepared to take a step that might possibly lead in that direction and yet left the control of the House unimpaired. The adoption of this middle course has the inconvenience of not touching unopposed Bills, which are undoubtedly expensive. If they wanted to deal with unopposed Bills they should not do so by legislation. What they should do would be to take care that the fees of this House and of the other House are revised and reduced. I should like to see the cost of obtaining an unopposed Bill largely reduced, so far as it can reasonably be reduced. But what is the change we propose? The right hon. Gentleman the Member for the Stirling Burghs (Mr. Campbell-Bannerman) allowed his imagination to run riot. He talked about ignoring constitutional rights and about the rights of the representatives of the people. Is he prepared to contend that in all private business the representatives of the people alone and no one else are to pronounce an opinion.

*MR. CAMPBELL-BANNERMAN: I said unless it was proved that it was perfectly impracticable that it should be so.

*MR. E. STANHOPE: How does the right hon. Gentleman explain the fact that referees are paid members of Committees? They are not Members of the House, and yet they vote.

*MR. CAMPBELL-BANNERMAN: They do not decide questions of public policy.

*MR. E. STANHOPE: They do vote in the Court of Referees. They are paid, and are not Members of this House. They violate that tremendous constitutional principle of the right hon. Gentleman, and are entitled to express an opinion on Private Bills. Now let us come to the grounds on which we advocate this Bill. First of all, we advocate the Bill on the ground that it has become so difficult to find Members willing to serve on Committees, a point on which conclusive evidence was laid before the Committee. Before the Committee presided over by Lord Monk Bretton, my right hon. Friend the Member for the University (Sir J. Mowbray) stated that if there was any extreme pressure at the present time it would be absolutely impossible to carry on the Private Bill legislation of this House. Of course if it is necessary for this House to do this work we must give up something else, and we must sit longer or in some way or other devote ourselves to carrying out private business. But is it necessary? I think it would be easy to show it is not necessary by any means, and that by the proposals we make it would be perfectly possible to create a tribunal that will relieve the House of functions that press unduly upon it, and at the same time maintain the right of the House to regulate its own private business. In all but one minute particular the right hon. Gentleman (Mr. Campbell-Bannerman) opposes local inquiry. Railway Bills and the larger part of the remaining Private Bills he would not refer to any system of local inquiry, but retain them within the jurisdiction of Parliament. As to the Bills other than Railway Bills, he says frankly, if important, he would withdraw them from Municipalities, leaving to Municipalities only that minute fraction which deals with the very small objects of local utility. Let me for a few moments grapple even with that minute fraction of Bills the right hon. Gentleman thinks might be dealt with by extending the powers of Municipalities. He did not attempt to touch for a single moment the argument of the Lord Advocate that, if Municipalities desires to acquire the property of private individuals, they will be at the same time the promoters of Bills and judges of the terms on which the property is to be acquired. I do not believe that is a proposition that Parliament is likely to confirm, and it is not one which commends itself to us. The hon. Gentleman the Member for Banffshire (Mr. Duff) said, "Give us the same powers you give the School Boards." The hon. Member is ignorant of the fact that no School Board can buy an acre of land without Parliamentary sanction.

MR. DUFF: I beg pardon. An Act was passed after the Education Act giving power to Local Authorities and School Boards to acquire land subject to the Lands Clauses Consolidation Act.

*MR. E. STANHOPE: Certainly. What is to be done? A Provisional Order is to be framed, and the House has to give its sanction to the scheme. If the hon.

Gentleman wishes to extend the system of Provisional Orders, so do I. It is a cheap system of carrying out many of these works. Then I must also notice for a moment what was said by the hon. Member for South Aberdeen (Mr. Bryce). He called to our assistance the example of America and especially of New York. Do hon. Members recollect the story of the Elevated Railway of New York, which was carried through the streets at the level of the drawing-room windows of gentlemen's houses, within a few feet of those windows, without any compensation being paid for the injury done? The hon. Member's proposals seem to me to have something about them which ought to be, and I hope always will be, foreign to this country. Now we advocate local inquiry on the spot, because we believe that local inquiry is the best method of ascertaining facts. It is not a chance tribunal, but one chosen with special reference to the particular case which is to be investigated. It is one that will be better able to judge upon the spot on many disputed questions than any Committee sitting upstairs, however able and industrious that Committee may be. The Commission will get through its work quicker because it will sit longer than our Committees, and will sit *de die in diem.* It will not tolerate waste of time. Thirdly, I advocate a local inquiry because I am confident that it will be a cheaper inquiry. From some of the speeches made by hon. Members it is almost made to appear that the Scotch people prefer an expensive tribunal. It is said the great railway companies do not object to the present system. I am not surprised at that, but are the Railway Companies necessarily the best judges of what is the cheapest and best system? Is not the private suitor to be consulted? Under the present system the promoter of a Private Bill may bring a host of witnesses and keep them waiting week after week at great cost, and after all the Committee may be satisfied with one witness and all the remainder will go back without being called at all. But the unfortunate individual who desires to protect his rights has to go on paying his counsel through the whole period. The real fact is that the present tribunal is a costly one, and, above all, it is costly to the private individual who wants to protect his rights. The present tribunal is no doubt incorruptible and pure, but what can be said of the system which crams into one short month all the most important inquiries of a Session, with the result that counsel who particularly want to attend are engaged up to the hilt, and anyone who wants to obtain them has exceeding difficulty in obtaining their services. I do not say that the fees paid to eminent counsel are too high; they cannot be, because an eminent counsel will always command his price. But I do say, that the fees paid to junior counsel, which depend upon the custom of Parliament, are ludicrously unjust to private suitors. As regards one question asked by the Member for Aberdeen. It is not proposed to abolish Instructions, and I see no difficulty in giving similar Instructions to the Commission as those now given to Committees. A good deal of objection has been taken to the form of the Commission. The Government are open to conviction on this portion of the Bill, but I have the satisfaction of observing that our opponents are by no means agreed as to what is to be substituted for the proposals of the Government. Objection has been taken to the Scotch Judges nominating a Member, but I think a more impartial body could not be found. It seems to be assumed that it is an unheard-of thing for Parliament to delegate a nomination. That duty has often been delegated to Judges—aye, even to County Court Judges. It might be found better that this Member should be nominated by the Crown, but I think if we had proposed that we should probably have laid ourselves open to a greater attack. I understand the proposal is that a panel of gentlemen suited for the position shall be nominated, and that from that panel the man best qualified for the work of the year shall be chosen. Some objection has been taken to the fact that we are to have a Member of Parliament on the Committee because he is to be the only unpaid member. We have had experience of that in the case of the Court of Referees. The right hon. Gentleman (Mr. Campbell-Bannerman) says he is afraid the Court will not be peripatetic. If the Court were to sit in Edinburgh and refuse to sit in the localities, it would be acting entirely contrary to the spirit and even the letter of the Bill. Now, I come to the last point, and that is, Will the House accept the recommendations of the Committee? The hon. Member for Caithness (Dr. Clark) does not disguise what he thinks about that. He says the opportunity would be taken by obstructives in the House to make every use of the Forms of the House to discuss over and over again a Private Bill that had been before the Committee. I do not think they would do anything of the kind. I believe in the common-sense of Parliament. We always used to hear at the time of the constitution of the Court for the trial of Election Petitions that the same result would follow. What has been the case? This House, without exception, accepts the decisions of the Judges.

MR. HUNTER: They have no power to refuse it.

*MR. E. STANHOPE: That is so now, but it was said that the House would never allow the decisions of the Judges to remain unchallenged, but I never heard a single protest against the decision in an election case. So I believe it will be with this tribunal. We invoke the assistance of the House to make this tribunal thoroughly efficient and strong. If it is made strong and efficient I am confident the House will accept its decisions. I hope I have shown that the present system cannot continue and ought not to continue. It is one we ought to change without delay. We do not pretend that our scheme is absolutely complete in all respects, and may not be amended in Committee, but still it is a workable scheme we are holding out, and we are confident that it will be a great assistance to Parliament and a great benefit to the people of Scotland.

*(8.1.) MR. H. H. FOWLER (Wolverhampton, E.): If the Debate had proceeded on the same lines on which it has progressed since 4 o'clock, perhaps it would not have been necessary for an English Member to intervene. A very great part of the Debate has been purely of a Scottish character, carried on by Scotch Members from a Scotch point of view, and to this all I should have been disposed to say would have been this: that if our Scotch friends are desirous of trying the experiment let them do so, but the cost will be more than under the present system. But the speech of the right hon. Gentleman the Secretary of State for War has thrown quite a new colour over the Debate, suggesting, as it did, the introduction of the scheme under discussion into England. The right hon. Gentleman practically advocated the surrender by the House of its control over private legislation; and English Members are justified in intervening in a purely Scotch Debate in order to avoid being committed to any such proposal. I think, before the House is called upon to make changes in a system which has been in force for many years, and which on the whole has worked remarkably well, some good reasons for the change ought to be advanced. Now, the first reason was given in the course of this evening by the hon. Member for Roxburgh (Mr. A. Elliot), and which I am glad to find the right hon. Gentleman the Secretary for War did not endorse. My hon. Friend the Member for Roxburgh maintained that a Select Committee of the House of Commons is a tribunal unsatisfactory to the suitors who come before it, and that, if for no other reason, we were bound to alter it because of its unsatisfactory qualifications. Now, if I may venture upon personal allusions, I may say that before I became a Member of this House I had the honour of practising before its Committees, and since becoming a Member, I have had the honour of serving on these Committees, and the conclusion to which I have arrived, and which I have often expressed, is that, of all the tribunals with which I have ever been associated, I know none so competent or so fair, and none which have given such satisfaction to suitors, as the Select Committees of

the House of Commons. The hon. Member for Roxburgh alluded to the inferiority—he did not use the word, but he conveyed the idea—the inferiority of the Committee to the Bar practising before it. I would call attention in this connection to the evidence of the greatest living man who has practised at the Parliamentary Bar—Lord Grimthorpe. He was a leading practitioner at the Parliamentary Bar for nearly 40 years, and Lord Grimthorpe never hesitates to express his opinions even if they are disagreeable, and Lord Grimthorpe's opinions are not likely to be founded on a favourable exaggeration of the merits of these tribunals. Lord Grimthorpe stated to the Committee which sat on the subject that he believed that the decisions of Select Committees generally gave satisfaction to the public; that a good Chairman was often better able to control the admission of evidence than even a Judge; and that the Bar practising before the Committees recognised the general competence of the Committees. Another eminent counsel, Mr. Pope, endorsed that opinion. The right hon. Gentleman (Mr. Stanhope) urged the necessity of change, on the ground that it was becoming impossible for the House to carry on its own business, and quoted in support of his argument the decision of Lord Hartington's Committee and the evidence of my right hon. Friend the Chairman of the Committee of Selection (Sir J. Mowbray). But the right hon. Gentleman did not tell the House the whole of the proposal made by Lord Hartington's Committee, which was that the whole House should be divided into a panel, and that every Member should sit on a Standing Committee. That involves a great constitutional change; and if Her Majesty's Government propose it, I do not know that they will meet with much opposition here; but that is not the proposal now before the House. If every Member of the House is a Member of a Standing Committee sitting constantly, and having charge of the regular business of the House, it is self-evident that the present system of Private Bill Committees cannot be carried out. It was upon that theory alone that Lord Hartington's Committee recommended the change which the right hon. Gentleman has referred to. In passing, I may call attention to another inaccuracy into which the right hon. Gentleman quite unintentionally fell. The right hon. Gentleman was inaccurate in saying that the Committee of both Houses was unanimously, with one exception, in favour of the proposal now put forward. The Committee was, in fact, with the exception of the Postmaster General, unanimous in preferring to discuss his scheme in preference to that of the Chairman of Committees; but the Committee voted four to six against the scheme of the right hon. Gentleman. The four Members of the Joint Committee who voted against the scheme of the right hon. Gentleman were the hon. Member for Bishop Auckland, Lord Stalbridge, Lord Balfour, and another Peer. The Report of the Joint Committee was a compromise proposal. The evident feeling of the Joint Committee, as shown in its Report, was in favour of an extension of the scheme for Provisional Orders, subject to the difficulty that it would only afford a partial relief to Members of the House of Commons. The Secretary of State for War also argued that the labours of hon. Members need lightening; but it is my opinion that the facts do not point to such a conclusion. The year 1887 was an exceptional light year; and in that Session 102 Members of the House of Commons were employed upon Select Committees to consider opposed Bills, the average service of each Member amounting to less than eight days. Is this too great an imposition on hon. Members? Does this represent an intolerable pressure? I know the difficulty of getting Members to serve on Committees, but that is one of the evils of the system. When a Member is asked to serve, of course it is never convenient; it is very irksome to Members not fond of the duty; but allowing for all exceptions, there would, under an automatic system of service, always be 300 or 400 Members available for Committees, and the service required from each would be very small during a Session. Then, too, when we talk of increasing burdens, let us recollect that the Sittings of the House have been considerably abbreviated. In my earlier days of Membership, it was considered a comparatively early hour if we rose before 2 o'clock, and now we usually adjourn soon after midnight. I do not believe there is anything in the difficulty of finding Members to serve on Committees which could not be met by some alteration in the present system. With regard to the argument of the enormous cost of witnesses, that cost has been shown to be only 11 per cent. of the entire expenses. I agree that a large number of unnecessary witnesses are brought to London, but that is not the fault of the system, but of the parties themselves. The House of Commons Committees examine witnesses more rapidly than an ordinary Court of Law, and if a fact is clearly proved by one witness it is not their habit to call more upon that point. The real expense is in the fees of the House and the fees to counsel, and I do not believe that this Bill is going to diminish those expenses. The fees paid to counsel under the present system of Election Petitions are far greater than those which were paid before. People will not have local talent, and I venture to say that in an important question, say of water supply to Edinburgh, before the new tribunal the Corporation would get down London counsel and London experts at a far greater cost than would be entailed on the Corporation if they had to bring up local witnesses to London. I am not arguing against trying the experiment of local inquiry. I am not opposed to local inquiry; but I will venture to say the idea is an absurdity so far as railways are concerned. As an illustration, take the scheme which I understand is proposed, and will be opposed, to form a new connection between London and Manchester and the North. Would you have a local inquiry for that? Where should it be held? A great question of policy will have to be decided upon which Parliament alone can judge. I deny that in our constitutional system any Judges can be appointed to decide questions of policy. They are to decide questions of law. They apply the law to facts, and I hope we shall never depart from this admirable practice. The fact of a man being a good Judge does not fit him to decide cases of public policy such as are brought before Committees of this House. Take, for instance, the case of the Manchester Ship Canal, than which I do not know a greater proof of the way in which our present system works. In the first instance, the Bill was passed by a Committee of the House of Commons, and was thrown out in the Committee of the House of Lords; next year the reverse was the case, and the next year it passed both Houses. In all that time difficulties were being threshed out and the scheme matured and ripened, until, by a Committee on which Mr. Forster as Chairman rendered one of his last great public services, the scheme passed, and the undertaking is now being carried through. Now, if this scheme had been referred to a Commission of Judges for the second time, that tribunal would have rejected it as a matter already disposed of. With regard to the question of Provisional Orders, we do not propose that the Municipality of A should be allowed to buy the gasworks of A at its own price, but upon certain terms—for instance, under the Lands Clauses Act. Where would be the injustice of that? The matter would then be subject to Parliamentary control. No branch of the work of the Local Government Board is more beneficial than its administration of Provisional Orders, and I do not see why the work done for England by the right hon. Gentleman the Member for the Tower Hamlets (Mr. Ritchie) should not be done for Scotland by the Secretary for Scotland, who there is no reason to suppose is an overworked official. The Local Government system is, in fact, one of local inquiry carried out by the Inspector at a very small cost indeed, and the same may be said of Board of Trade Provisional Orders. I do not remember any other arguments in favour of this scheme unless it is, as the Lord Advocate said, a homœopathic dose of Home Rule for the people of Scotland. If the people of Scotland wish to have it, I do not wish to stand in their way, but I object to the patronage which this measure will give to the Judges. Of all patronage judicial patronage is the worst, because the Judges are irresponsible. If it were the patronage of the Crown, the Minister would exercise it with the full knowledge that he would be responsible to the House of Commons. I remember an incident related that Lord Palmerston once said that every person he met in Parliament Street was laughing at the extraordinary mode of electing the Indian Council which was proposed by Mr. Disraeli's India Councils Bill. I think if anything could excite the risible faculties of the people of Scotland it would be this proposal that the Judges sitting in Parliament House should appoint the fourth Member of the Committee. Then the Bill makes no provision for dealing with cases of unopposed measures, and I do not see what is to be the position of the House in cases where the Commissioners reject a Bill. A Bill, let us say, is brought in which raises some grave question of public policy. Members of this House object to its provisions, and raise a Debate on the Second Reading. The House practically affirms the principle and the Preamble by passing the Second Reading, and says in effect it approves of the scheme on the ground of public policy subject to the details being settled. Is the Commission to have the power under such circumstances of reversing the decision of the House? A Committee upstairs would say at once: "The House has practically settled the Preamble of this Bill." [*Ministerial cries of* "No!"] I have been on Committees upstairs when it has been said: "The principle is a question which the House has practically decided, and we are here to settle the details." But of course this is only a question of detail. I say with reference to the whole question, if this is to be introduced as a general scheme, you will be depriving the public of this country of a most valuable tribunal for the determination of this class of questions; you will be introducing a new element into questions of public policy and setting up a co-ordinate jurisdiction with Parliament, to be exercised side by side with Parliament, in such a way that it will assuredly create friction. Parliament will never treat the decisions of an outside body in the same way as it treats the decisions of its own Committees. Under these circumstances, I think you would be making a change which would not secure the advantages which the right hon. Gentleman expects. I, for one, Sir, knowing the objections that may be urged against the present system, and believing that a great many of those objections might be removed by reducing the fees that have now to be paid, and making the proceedings more simple by doing away with all those advertisements and notices and deposits which have come down to us as relics of bygone times, and are totally inapplicable to the present day, am of opinion that we shall still find the Parliamentary system the most practicable and satisfactory we can employ for dealing with this class of cases, and I prefer to bear the evils we have than fly to others that we know not of.

(10.34.) Mr. M. J. STEWART (Kirkcudbright): This question has been treated to night in a spirit very adverse to the provisions of the Bill. In view of the fact that for many years it has occupied a prominent place in political discussions, and that it has figured largely in many Addresses for at least 10 or 15 years, I am rather surprised at the tone adopted by hon. Members opposite. This is the first time we have had a regular discussion on a Government measure respecting Private Bill legislation, and I am bound to say the Government have received little encouragement from hon. Members in the task they have imposed upon themselves. There can be no doubt that the feeling in Scotland in favour of some such measure as this is a very strong one. There is not in the North such satisfaction with the composition and decisions of the Parliamentary tribunals upstairs as the right hon. Gentleman (Mr. H. H. Fowler) has described as existing here. We are well aware that there are many competent Members who serve upon the Committees upstairs, but at the same time there are many who do not pay much attention to the questions that come before them, and the public are consequently led to think that their interests are carelessly dealt with. The right hon. Gentleman quoted Lord Grimthorpe as a great authority on this subject. No doubt Lord Grimthorpe had an immense practice at the Parliamentary Bar, but I question whether one who was as fortunate as he was in his practice at the Bar for so many years is the best witness to call on the question. He would be, perhaps, the last man to say a word against the Committees. We find that Mr. Pope and others are cited, but these gentlemen bear the same relation to Committees now that Lord Grimthorpe did in his day. It is said that Election Petitions nowadays cost more than they did formerly. That is not the case in Scotland. The cost in Scotland is much less than it would be if witnesses had to be brought up to London and to be kept here a long time in waiting; and I think, in the same way, the cost of holding a Private Bill inquiry would be less in Scotland than in London. We are told that the expense of bringing counsel to Scotland would be greater than that of bringing witnesses to London; but in Scotland we are not in the habit of sending to London for counsel to advocate our causes. There is a strong opinion in Scotland that something of this sort should be done, and as the Bill is to be sent to a Select Committee I cannot conceive how many Scotch Members can be found to vote against the Second Reading. What we have to consider is, are we prepared to make any change in the system of Private Committees by delegating some of the powers to a Commission sitting in Scotland? In my opinion, Scotland is justified in making the first claim in this matter, for the late Mr. Craig Sellar was active in pressing his views upon the House, and his representations were very favourably received. No agitation has, so far as I know, ever taken place in England, and if Scotland wants this new system I think the House ought not to deny it to her. It is a principle we have been endeavouring to secure for some years past, and I am sure there are a large number of Members who would be willing to see some of the powers they at present possess delegated to some other authority. I can understand suitors, whether promoters or petitioners, finding fault with a tribunal of an untried character. They may say that these four or five gentlemen got together to adjudicate on their differences have not had the experience to warrant their coming to a right opinion. As to the appointment of a Judge as President of the Court, such a person would be conversant with all legal forms, and would be well qualified to assist in these inquiries, and I think if we had more Members of that kind on the tribunal it would secure greater confidence in the country. You would get gentlemen of wider experience to adjudicate, and probably views less narrow would be found to prevail. There is the objection as to a tribunal with finality to its decisions. I can conceive a Bill being brought a second time before the Commission; I can conceive the Bill being sent from House to House at Westminster, and this occurring more than once. That would necessitate a considerable amount of expense. Witnesses would have to be sent down to the locality from time to time, and the present ruinous expenditure would be repeated. But there is a danger that private enterprise might be injuriously affected. If you had the same tribunal going to a locality from year to year you would know what their views were likely to be, and, therefore, though the schemes for which powers were sought might be of great value to the public, the promoters might be restrained from persevering with them. There is no finality at present, and the result is that if a scheme is rejected one year it can be brought up again and again, and frequently is adopted in the end, greatly to the advantage of the public. One blot in the Bill is that there is no appeal to the House of Lords. I do not know if hon. Members agree with me, but I believe that a double inquiry is of great value. There are sometimes points in an inquiry which, owing to the pressure in the House of Commons, are not thrashed out there, and these are more fully gone into in the House of Lords. There is some objection to Edinburgh being the centre for the Commission. We know there is a great amount of jealousy in Scotland between the West and East—though that is not a matter for discussion here. But those prejudices are prejudices that will wear out, and we must not entertain feelings of that kind in trying to legislate for Scotland. There is this to be said in regard to conferring these powers on Municipalities and County Councils—namely, that these bodies represent the ratepayers, and if you make the inquiry too local you do not represent the feeling of the wider district in which the particular undertaking is situated, and it might be necessary that a much wider view than that which would be taken by a Town Council should be secured. There has been some experience in this direction in Glasgow, where railway, and tramway, and other schemes of great value to the general public have been, for a long time, strenuously resistedby the Local Authorities. If the wider localities had had their way, some enterprises of great national interest might not have been stifled in their infancy. But with this tribunal in the Bill you would not have that local prejudice at work, and would have a much wider view taken of these matters. I do hope the principle of the Bill will be affirmed tonight.

*(10.45.) MR. LENG (Dundee): At the first blush I was rather taken by the Bill, especially considering the quarter from which it comes. As an advanced Liberal I was somewhat surprised to find a kind of posy or nosegay of advanced Liberal principles presented by the Lord Advocate, for there is the principle of devolution, there is the principle of Home Rule, and there is —what must have delighted the hon. Member for Northampton (Mr. Labouchere)—the proposal to abolish the House of Lords so far as Scotch Private Bills legislation by this Commission is concerned. The principle of devolution is rather captivating as relieving Members from attendance on Committees and setting them free to attend Grand Committees dealing with Imperial questions. I was particularly interested in the evolution of the Home Rule principle in this Bill, because by bringing the preliminary process of legislation home to the people we shall do something to remove the fetish that the only sacred place for legislation is Westminster, forgetting that in ancient times Parliament assembled in different large cities in the Kingdom. It has long been contended that justice should be brought home to the people. We shall now have from the introduction of this Bill by a Conservative Government the admission that the time has arrived when legislation also should be brought home to the people. Forgetting that the House is really composed of representative Members from all parts of the country, it has been thought there is something sacred in this place for the purpose of legislation, and that Members receive a baptism of wisdom when they come to the banks of the Thames which they do not possess in their own cities and counties. I would point out to Members opposite that when they are going to have this system of peripatetic Committees or Commissions with regard to Private Bills in Edinburgh, Glasgow, Dundee, and Aberdeen, the suggestion naturally follows that what might be good for Private Bills might not be bad also for Public Bills. I, therefore, congratulate the Government on this additional step they are taking in the direction of Home Rule. There are many who would be willing to receive Home Rule by instalments. Nor do I despair of seeing in the course of time a Conservative Government propose to establish a Scottish Representative Assembly for the discussion of strictly Scottish affairs. There is, I admit, one valuable proposal, and I think it is the only valuable proposal in the Bill; that is, the replacement of the double inquiry by an inquiry before a single Committee. In the last Session of Parliament there were three separate instances connected with Scotland in which decisions of Committees of the House of Commons were reversed by Committees of the House of Lords. In one of these cases the House of Commons sat for 29 days, and the House of Lords, sitting upon the case for nine days, reversed the decision of the first Committee. It is understood that the entire expenses of these two inquiries to the various companies was not less than £50,000. With regard to these expenses, there is no doubt great weight in the statement that they arise chiefly through the employment of experts, and if these are brought to Scotland the cost will not be diminished. We have had experience of that in the city I represent. We have more than once had arbitrations, and experts have been brought from London to give evidence, and the cost in

each has been enormous, not to say appalling. I may remind the House with regard to this question of one Committee instead of two, that in 1858, in the Commons Committee of that year Mr. Lowe moved that the House of Lords should be invited to concur in some arrangement by which a Private Bill might be investigated at the same time and placed before a Committee of the two Houses, or by which one general tribunal may be formed for both Houses. This plan was supported by Mr. Gladstone, Lord Robert Cecil, and Mr. Stuart-Wortley; but was opposed by Sir James Graham, Mr. Caudwell, and Mr. Bouverie, and the numbers being equal, the Chairman declared himself with the "Noes." In 1869 a Joint Committee of Lords and Commons was appointed "to consider whether any facilities could be given for the despatch of business in Parliament." This Committee considered it expedient that opposed Private Bills should be referred to a Joint Committee consisting of three Members of each House, and were of opinion "that this change would introduce greater simplicity and rapidity of proceeding and a corresponding economy." Had the recommendation been given effect to in the present Bill it would have been free from many of the objections stated. There is a certain vague general feeling and desire amongst the public in Scotland for some change; but I undertake to say there is no feeling whatever for this mode of making it, and there is a strong feeling against the proposed constitution of the Commission. It is a peculiarity of a Conservative Government that while great sticklers for the Constitution, they bring forward most unconstitutional proposals. Unaccustomed naturally to the path of reform, when they enter upon it they stagger and stumble. The present system is a constitutional system, it recognises both branches of the Legislature; but the Bill, so far as the constitution of the Commission is concerned, goes on the assumption that there is no House of Lords. Is it not strange that a Conservative Government is the first to propose to abolish the share of the House of Lords in Private Bill legislation? If such a proposal as that in the Bill had been made by Liberals, we could easily have conceived what Tories would have said respecting it. Numerous Committees have taken evidence and reported on the subject, and many passages might be quoted. I may remind the House that in 1860 Lord Brougham proposed that—

> "It is inexpedient in a constitutional view for Parliament, or either of the Houses thereof, to abdicate its functions and privileges in respect of private legislation, but, on the contrary, that both Houses ought jealously to retain their undoubted power to decide upon every proposed enactment and of assenting to or dissenting from such proposals."

Mr. Frederick Clifford, in his admirable work on Private Bill legislation, which is so careful, complete, and impartial, says—

> "The House of Lords has shown no wish to rid itself of its share in private legislation, and has always discharged this duty with great care for public and private interests. From the earliest period both Houses have treated Private Bills as part of the necessary business of legislation which the nation expected them to transact."

Mr. Robert Baxter, an acute and experienced solicitor said the House of Lords were quicker in the despatch of business than even the Lower House. Then there is another point, which I think has been referred to before. It is that by having only one Member of Parliament on this proposed Commission you cannot have the power of defending and explaining and vindicating the decision of the Committee when it is reported to this House. On various occasions during the short time I have been in this House I have seen several Members of Parliament rise to vindicate the decision of the Committee. The more it is looked into, the more, I am convinced, will it be found that the constitution of this Commission is objectionable. There is no doubt whatever, may be said, that there is too much of the legal and judicial element in its constitution. This proposal to have a meeting of the Judges in Edinburgh to nominate a list of persons from whom the Supreme Judge is to make a selection, really has nothing whatever to recommend it. It is curious to see a Conservative Lord Advocate treating the Peers of the House of Lords practically as non-existent, and regarding what are called in Scotland the paper lords as all in all, and giving to them the selection of this tribunal. Hon. Gentlemen on the other side have spoken as though the right hon. Gentleman the Member for Stirling had advocated the exclusion of Railway Bills. I did not understand him in that sense at all. He pointed out that under your own Bill it must necessarily take place, and, if it does take place, it is quite obvious that there would not be sufficient employment for any such Commission. Mr. Clifford says—

> "If Railway Bills are reserved for the decision of Parliament the justification for a new tribunal disappears. It would relieve Parliament from little work, and it would only add another stage of litigation and expense."

That is a quotation from a work written and published some years before this Bill was introduced, so that it is quite impartial. Then Lord Monk Bretton is also of opinion that there is not sufficient work in Scotland or in Ireland to justify the creation of separate tribunals. I am certainly of opinion that a far better system is that both Houses should be represented on a Joint Committee. At the same time, I believe it is the opinion of a considerable number of persons in Scotland, that the real reason of the Bill is set forth in Clause 19, which creates new offices, new places, lucrative appointments for a number of gentlemen to whom they will be very acceptable. It has been said that a great number of Chambers of Commerce and Corporations have passed resolutions in favour of this Bill, but those who have the most intimate acquaintance with the cost of Private Bill procedure are satisfied that the proposals of the Bill will add to rather than diminish that cost. There is no gentleman in Scotland who has had a larger or longer acquaintance with procedure in these Committees than Mr. Thornton, Clerk of the Police Commission of Dundee, who has promoted numerous Private Bills during the last 40 years. He says—

> "(*c*) Consider for a moment what would take place if a special tribunal for Scotland, sitting in Edinburgh or elsewhere in Scotland, were appointed as proposed. In all important Bills the best talent will always be sought on the side of the promoters, as well as on the part of the objectors. It may be that some Scotch lawyers would sooner or later devote themselves to Parliamentary business, and that, therefore, so far as advocacy is concerned, you might have as good advocacy in Scotland as you can at present secure at Westminster, but in that case you will not secure it one penny cheaper; on the contrary, it will be dearer. Scotch lawyers who practically withdraw themselves from general practice will require large fees, just as the barristers who presently practise at Westminster do, and if you take them away from Edinburgh to Dundee or Aberdeen or Glasgow, they will require heavier fees. A barrister at Westminster can attend half a dozen Committee Rooms—in other words, half a dozen cases a day—but in Edinburgh, while the advocate might be able to attend to his general chamber business, he could only attend to one case, because the Commissioners could only take up one case at a time, and if he were taken away to Glasgow, Dundee, or Inverness, he could not attend even to his chamber business, and so would require still greater remuneration. Advocacy, however, is only a part, and sometimes a small part, of the expense attending opposed Bills. Experts of the highest standing are often necessarily employed, and these experts are at present almost exclusively found in London, and will continue to be found there. If you bring these experts to Scotland you must pay them enormous fees. At present their offices are at Westminster, where they do a general business, and they may be able to attend a number of Committee Rooms in a single day; but if you take them down to Edinburgh, they can only attend on one case, and they are away from all their general business, and you must, in consequence, pay them large and exorbitant fees."

Then it would be far better that there should be a joint tribunal of the two Houses, whatever it may be. The now venerable Town Clerk of the City of Dundee, who has been also engaged for nearly half a century in such work, entirely agrees with Mr. Thornton in this matter. Therefore, from various points of view, Mr. Speaker, it seems that while at the first blush there is much which is captivating in the aspect of the Bill, yet, when it comes to be examined, and especially when this most objectionable feature of the constitution of the Committee is considered, I think the great majority, at all events, of Liberal Members, must support the Amendment proposed by the right hon. Gentleman the Member for Stirling.

*(11.8.) SIR JULIAN GOLDSMID (St. Pancras, S.): Mr. Speaker, this matter appears to me to be absolutely non-political in its character, and, therefore,

I will not refer to the earlier observations of the hon. Member who has just spoken. The principle of the Bill concerns England and Ireland just as much as Scotland, because that which is adopted for Scotland, if successful, will ultimately be adopted for England and Ireland also. I think it is the duty of those Members who have had experience of Private Bill Committees upstairs, to state their experience with a view to contributing to a sound decision. As I understand, this plan is proposed by the right hon. Gentleman opposite, in consequence of a demand which is more general and more varied in Scotland than in any other part of the United Kingdom. To those who are not satisfied with the Bill, the right hon. Gentleman says that he is willing, if it is read a second time, that the whole matter shall be threshed out in Committee upstairs. Of that I entirely approve, considering the importance of the private interests of suitors who have hitherto appeared before the Parliamentary Committees. I think it is right that every consideration should be given to the subject. I myself have had a varied experience of Committees upstairs. I have heard it said that it is a great tax upon Members to serve upon Private Bill Committees. I was endeavouring to calculate the other day on how many Private Bill Committees I have sat. I broke down in the calculations; I think it was something between 30 and 40. Therefore, my experience has been worth something As a rule, I have found, amongst Members of all Parties, not only willingness to serve on Committees, but anxiety to do their duty. Only in one instance have I known objections raised by a private Member, who said he was unfairly placed on the Committee, and that he had more important business elsewhere. It was my duty as Chairman to point out that I was not responsible for his being placed on the Committee, and that he could have no business more important than that of the country. As far as Members of Parliament are concerned, I do not think that it is a very great burden to them to serve on Private Bill Committees, and the cry that the burden is too great is an exaggerated one, which ought not to be listened to. I should just like to say a word upon the reduced number of Members who serve on each Private Bill Committee. The number was formerly five; it is now four—and four Members are few enough to consider the important questions which are constantly brought before Private Bill Committees, especially with regard to railway matters. Of course, on the Report of the Committee the House forms a decision. But my object is principally to point out that one of the advantages of the present Parliamentary tribunal is its variety. Under this system you can never have stereotyped decisions. One Chairman may lay down what he deems to be the law, and he may believe that his decision is a perfectly safe one; but after all he may have been mistaken, and the parties to future proceedings will not necessarily be bound by the view he has taken. Consequently, I say that the advantage of variety rests with the present tribunal, whereas in the case of a judicial tribunal, unless the greatest possible care is exercised, the decisions may become stereotyped. The disadvantage of stereotyping in the case of a judicial tribunal is that where certain decisions have been pronounced you always have a large number of astute persons practising before that tribunal ready to accommodate themselves to the ideas entertained and expressed by it. So far, therefore, I cannot say that from the point of view of hon. Members the decisions of the present tribunal have been unsatisfactory. But the real question to be considered is—is the demand for a new tribunal justified, and if so, how far can we best meet it? I maintain that the work has so far been well done; but if the country wants it done in another way, it is our duty to endeavour to provide the best possible means. This being so, I do not quarrel with the proposal of the right hon. Gentleman that this Bill should be referred to a Select Committee in order that the whole subject may be thoroughly threshed out. But I think it desirable that a few words should be said on another matter. We have heard a good deal as to the cost of bringing witnesses from a distance. I remember that I had to sit with a very able Committee on a great Scotch scheme which was referred to just now—I allude to that of the Central Glasgow Railway. On that occasion there was an extensive amount of evidence prepared on both sides, showing that those who were in charge of the Bill and those opposed to it had endeavoured somewhat to overburden each case by bringing up too many witnesses. But this was speedily checked by the Committee, and there were some 20 or 30 witnesses who were absolutely useless. All this, of course, involves a considerable amount of cost. But then if you change the tribunal, and go to the locality, you have to meet the heavy costs of the professional witnesses and experts who have to be called in every case, an example of which may be found in the case of Mr. Barry, who appears before a great many Committees, especially in reference to underground railways. The fee which such a witness would charge in a case heard in London would be quite another thing if he were called upon to go down to Dundee or Edinburgh to give similar evidence. Consequently, I cannot help thinking that money would not be saved by going to the localities because of the extra expense attending the employment of experts and counsel. It is also said that large numbers of counsel would be called on to go to Scotland and practise before the new tribunal. I do not believe that the number would be large, because the fees would be found too heavy, and our Scotch friends are sufficiently astute to be able to find men within their own borders able to discharge the duties now required of counsel in London. With regard to the constitution of the new tribunal, I, for one, had hoped that a Joint Committee of both Houses would have sufficed to get over the present difficulty. This is a plan which has been approved by many Members of great distinction on both sides of politics, and as it has never yet been tried, I should have liked to have seen the experiment made; but, at the same time, if Her Majesty's Government think, and the House thinks, that the demand for a new tribunal is so great that it ought to be met, I do not say the Government have done wrong in bringing in this Bill, although I trust that when in Committee the Government will duly consider the various points that have been raised. I would, however, offer them one suggestion, and that is, that whatever we do should be of a merely tentative character. I say this because we have been told by a Representative of Her Majesty's Government that if this Bill succeeds in Scotland, its principle will in all probability be extended to England and Ireland. I would, therefore, suggest to the Government that it may be well to limit the duration of the Bill, so as to render it terminable at the expiration of three or five years. In that case, the House of Commons and the country would have time to see whether the plan of this Bill met with general approval, or whether it would be better either to revert to the old system or accept the new one with modifications. I make this suggestion with no ill-will against their proposal, but in the hope that the Government will give it due consideration.

(11.23.) MR. J. CALDWELL (Glasgow, St. Rollox): It occurs to me that this Bill is objectionable from a Unionist point of view. The policy of the Unionist Party has been to treat the United Kingdom as a whole; but, unfortunately, this is not the only occasion on which they have been prepared to detach certain national questions, and have shown a disposition to deal with them differently to the rest of the United Kingdom. I think there is an advantage in having matters of this kind determined imperially. There are many matters dealt with by Municipal and County Authorities in England on which English opinion might be of great use in Scotland. If there is to be a Commission for England and Ireland, why not have one Commission for the United Kingdom? If you are going to have a Commission for England, there is no reason why it should not be applied to Scotland. We are told that we are going to make an experiment, and, in so doing, we are bringing about a great constitutional change. The Lord Advocate has made reference to local feeling in Scotland on this subject. I say that the local feeling in Scotland extends no further than this: that, whatever inquiries are necessary should be conducted in the localities. That is the only point on which Scottish opinion exists, because it is believed that it would be of advantage to the suitors to have local inquiries, and would prove a great saving of expense. No opinion, however, has been expressed in favour of this Bill. Scotch opinion is certainly not in favour of an irresponsible Commission, not amenable to public opinion, and not representative of the people. They would reject such a body, and would infinitely prefer a Committee of the two Houses to conduct inquiries on the spot. There is no doubt that Private Bill legislation is of great importance to every country. Such legislation deals with numerous matters that are of material importance to the prosperity of the country—such, for instance, as railways, sanitary matters, police administration, water, gas, and many other things. When measures affecting these matters are remitted to Committees of this House, those Committees are appointed through a Committee of Selection consisting of men who are in touch with public feeling, and at the same time, with the general policy of Parliament. In the majority of cases dealt with by these Committees the judgment given is not interfered with. And, if any such attempt be made, the Members of the Committee have the opportunity of stating the reasons on which their judgment was founded. But in this case there will be only one Member of the House of Commons on the Commission, and it might so happen that he would be absent when the scheme came before the House for discussion, so that a decision would have to be come to without hon. Members having the benefit of his experience. Now this Commission must be intended to be either effective or non-effective. If the former, then we shall have legislation pratically conducted by authorities outside this House. If, on the other hand, the decision and judgment of the Commissioners is to be liable to be reversed, then the whole matter will necessarily come up for discussion in this House. The first objection I take to this Bill, then, is that it is a delegation of legislative powers to a Commission not selected by, nor in any way answerable to, the people; and, secondly, that the House will have no control over Private Bill legislation. There are in a year but few opposed Private Bills relating to Scotland. If, however, Parliament is unable to cope with this legislation, why not constitute a Council to deal with private legislation, giving it power to prepare measures in the same way as the Charity Commissioners prepare their schemes? A body of that kind would be amenable to local feeling in Scotland, and it would not be absolutely independent, as it would have to submit its Bills for approval to the Imperial Parliament. In that way you would practically have local legislation along with the retention of the supremacy of Parliament.

(11.34.) The House divided:—Ayes 150; Noes 86.—(Div. List, No. 12.)

Main Question put, and agreed to.

Bill read a second time.

Motion made, and Question proposed, "That the Bill be referred to a Select Committee."—(*The Lord Advocate.*)

*MR. CAMPBELL-BANNERMAN: I must ask the Government not to take that Motion to-night. I intend to move an Instruction to the Committee, and so I believe do some of my hon. Friends. We also ought to know something as to the constitution of the Committee. I do not think the Government will lose any time by putting this Motion off.

*(11.50.) THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): I should be very sorry to offer any opposition to the right hon. Gentleman, but I may remind him that it would be quite open to him to move an Instruction after the Bill is referred to a Committee. He will be able to do so on the nomination of the Committee.

(11.51.) SIR W. HARCOURT (Derby): There should be a clear understanding that an opportunity of moving Instructions to the Committee will be afforded to hon. Members.

*Mr. W. H. SMITH: I think that is very reasonable, and I am quite willing to give an undertaking that an opportunity shall be given for moving any Instructions to the Committee that hon. Members opposite may desire to move.

Question put, and agreed to.

Bill referred to a Select Committee.

SOLICITORS MAGISTRACY BILL.
(No. 80.)

SECOND READING. ADJOURNED DEBATE.

Order read for resuming Adjourned Debate on Question [4th December], "That the Bill be now read a second time."

Question again proposed.

Debate resumed.

(11.52.) Dr. TANNER (Cork Co., Mid): I hope this Bill will not be read a second time at this late hour, and I entertain that hope for many reasons. It has now been before the House for two Sessions, and in the whole of that time we have never been able to get an explicit explanation of its principles from the hon. Member in charge of it. I have again and again tried to find out why it was that the hon. Gentleman was so persistent in trying to push the Bill through at a late hour of the night, and as I have been unsuccessful I have had my distrust of the measure intensified. I venture to raise a protest against the Second Reading of this Bill being moved by a Member merely rising in his place, and not attempting to give any explanation of its principles. There are many points in it which require discussing. I submit it would be a very dangerous thing to admit solicitors to act as Justices of the Peace. You might, as I have on a previous occasion pointed out, have one member of a firm of solicitors sitting on the Bench listening to the pleadings of his partner in one of the cases being tried. Now that would be manifestly dangerous, and surely it is in itself a sufficient reason why the Bill should not be pressed forward at this late hour of the night. I appeal to the hon. Member—for there is still time for him to repent—to withdraw the Bill, at any rate, for to-night, and on some future occasion to state to the House of Commons the reasons he has for asking that it be adopted.

(11.57.) Mr. MACLURE (Lancashire, S.E.): There is not time now to describe at length the proposals of the Bill, or to deal with the objections which have been raised by the hon. Member. But I may point out that those objections have been already met by one of the clauses in the Bill, which provides that no member of a firm of solicitors, which in any way practise before a Court, to adjudicate in such Court. I think the general feeling of the Bar, and of the profession, is in favour of this Bill being read a second time.

(11.59.) Mr. CRAIG (Newcastle-upon-Tyne): I object to this Bill being read a second time without some explanation or some expression of opinion being given by the Law Officers of the Crown. I fear that if it is passed we shall have in our Courts of Justice a spectacle something similar to that we have witnessed in Ireland, where Engineer A has been allowed to sit in judgment upon Engineer B's plans, and Engineer B has been allowed to approve the plans of Engineer A in some other county. What on earth is the reason for pressing forward this Bill? I am astonished that the Law Officers of the Crown have refrained from giving us their opinion upon it.

It being midnight, the Debate stood adjourned.

Debate to be resumed to-morrow.

MOTION.

REGISTRATION OF FIRMS BILL.

On Motion of Sir Albert Rollit, Bill for the Registration of Firms, ordered to be brought in by Sir Albert Rollit and Mr. Byron Reed.

Bill presented, and read first time. [Bill 164.]

House adjourned at five minutes after Twelve o'clock.

HOUSE OF LORDS,

Friday, 23rd January, 1891.

SAT FIRST.

The Lord Southampton after the death of his father.

METROPOLITAN HOSPITALS, &c.

Moved, "That a Select Committee be appointed to continue the inquiry with regard to all hospitals and provident and other public dispensaries and charitable institutions within the Metropolitan area for the care and treatment of the sick poor which possess real property or invested personal property, in the nature of endowment, of a permanent or temporary nature; and to receive, if the Committee think fit, evidence tendered by the authorities of voluntary institutions for like purposes, or with their consent, in relation to such institutions, and further, to continue the inquiry as to what amount of accommodation for the sick is provided by rate, and as to the management thereof, and to report to the House; and that the witnesses before the said Select Committee be examined on oath."—(*The Lord Sandhurst.*)

Motion agreed to.

Then the Lords following were named of the Committee:—

L. Abp. of Canterbury.
E. Cadogan (*L. Privy Seal.*)
E. Winchilsea and Nottingham.
E. Lauderdale.
E. Spencer.
E. Cathcart.
E. Kimberley.
L. Zouche of Haryngworth.
L. Saye and Sele.
L. Clifford of Chudleigh.
L. Sandhurst.
L. Fermanagh. (*E. Erne.*)
L. Lamington.
L. Sudley (*E. Arran.*)
L. Monkswell.
L. Thring.

The Committee to meet on Monday next at Twelve o'clock; and to appoint their own Chairman.

CHILDREN'S LIFE INSURANCE BILL—[H.L.]

Select Committee on: The Lords following were named of the Committee:

L. Chancellor.
E. Derby.
E. Spencer.
E. Harrowby.
E. Beauchamp.
E. Selborne.
L. Bp. Peterborough.
L. Bp. Ripon.
L. Clifford of Chudleigh.
L. Ker. (*M. Lothian.*)
L. Poltimore.
L. Brougham and Vaux.
L. Kinnaird.
L. Norton.
L. Herschell.
L. Thring.

The Committee to appoint their own Chairman.

House adjourned at twenty-five minutes before Five o'clock, to Monday next, a quarter before Eleven o'clock.

HOUSE OF COMMONS,

Friday, 23rd January, 1891.

NOTICE OF MOTION.

THE CRIMES ACT (IRELAND).

MR. WEBB (Waterford, W.): I beg to give notice, on behalf of my hon. Friend the Member for Londonderry (Mr. Justin M'Carthy), that on this day four weeks he will call attention to the administration of the Crimes Act (Ireland) and will move a Resolution.

QUESTIONS.

EVICTIONS UNDER THE MIDLAND RAILWAY ACT, 1890.

MR. THOMAS HENRY BOLTON (St. Pancras, N.): I beg to ask the Secretary of State for the Home Department whether the Midland Railway Company have laid before him any scheme for re-housing of the working class population at Somers Town, evicted, or in course of eviction (to the number of 2,300), under "The Midland Railway Act, 1890;" and, if so, whether he will supply particulars of such scheme to the Vestry of St. Pancras, representing the public in the locality, and whether he will take care that the Company, in acquiring the property with vacant possession, do not evade the obligation imposed on them by Parliament of erecting as many new working class dwellings in the locality as the number of like dwellings pulled down for railway traffic requirements?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): I have not yet received such a scheme, but I am informed by the directors of the Company that they have given instructions for the preparation of a scheme in accordance with the 33rd section of the Act quoted, which will in due course be submitted for my approval. The intervention of the Local Authority is not contemplated by the Statute, but I shall be happy to receive any observations from the Vestry which they may think material. I have no reason whatever to believe that the Company intend to evade their obligations, and the hon. Member may rest assured that the duties imposed on me by Statute will not be disregarded; but I may point out that the Statute does not make obligatory the erection of the same number of dwellings as are pulled down. The number of dwellings to be erected is governed by various considerations mentioned in the Statute.

SINGLE POST LETTERS BY RAILWAY.

MR. THOMAS HENRY BOLTON: I beg to ask the Postmaster General whether, in connection with the conveyance of single post letters by railway, he will permit stationmasters (on request) to arrange for messengers to carry the letters from the stations of address to the parties to whom such letters are addressed, provided such letters have on them a memorandum that they are "to be forwarded by messenger?"

*THE POSTMASTER GENERAL (Mr. RAIKES, Cambridge University): In reply to the hon. Member, I have to state that all the arrangements with respect to the conveyance of single letters by railway have received most careful and protracted consideration, and it would not be possible to alter them without reopening the negotiations with the Railway Companies, which have already occupied much time. It will, I think, be best to give the experiment as now arranged a fair trial before attempting to develop it further.

THE SCOTCH RAILWAY STRIKE.

MR. WATT (Glasgow, Camlachie): I beg to ask the President of the Board of Trade whether his attention has been called to a recent decision—

> "That the Act of 1854 compelling Railway Companies, whether it paid them or not, within reasonable limits, to afford facilities for the conveyance of all classes of traffic;'

and whether, in view of the entire suspension for some time past of certain services in Scotland, which has entailed enormous losses on traders, he has taken steps to enforce on the Railway Companies their statutory obligations?

*THE PRESIDENT OF THE BOARD OF TRADE (Sir M. HICKS BEACH, Bristol, W.): Yes, Sir; my attention has been called to a newspaper report of the decision of the Railway Commissioners to which the hon. Member refers. Parliament has not given the Board of Trade any statutory authority to intervene in the manner suggested in the question, which is one to be decided—as the case referred to was—by the proper legal tribunal, at the instance of those interested in the matter.

GOVERNMENT ASSISTED EDUCATION BILL.

MR. SYDNEY BUXTON (Tower Hamlets, Poplar): I beg to ask the Vice President of the Committee of Council on Education whether he can inform the House on what day he proposes to introduce the Government Assisted Education Bill?

THE VICE PRESIDENT OF THE COUNCIL (Sir W. HART DYKE, Kent, Dartford): In answer to the question of my hon. Friend, as the Assisted Education Bill involves financial considerations affecting the Budget, it will not be introduced before the Financial Statement of the Chancellor of the Exchequer has been made.

TRUSTEE SAVINGS BANK BILL.

MR. HOWELL (Bethnal Green, N.E.): I beg to ask the Chancellor of the Exchequer when he will introduce the Trustee Savings Bank Bill?

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): I should not like to pledge myself to any particular day, but I am almost ready with the Bill, and I hope shortly to be able to introduce it.

IRELAND—DISTRESS IN TUAM AND GLANAMADDY.

COLONEL NOLAN (Galway, N.): I beg to ask the Attorney General for Ireland whether his attention has been drawn to resolutions by the Tuam and the Glanamaddy Boards of Guardians pointing out the want of employment and the consequent distress to be apprehended from the shortness of last year's potato crop in those districts; and if he will soon institute in these districts local works of the character described in the Relief of Distress Bill?

THE ATTORNEY GENERAL FOR IRELAND (Mr. MADDEN, Dublin University): I must ask the hon. and gallant Member to defer the question. I have called for a Report.

COLONEL NOLAN: I will repeat the question on Monday next.

TORY ISLAND — TELEGRAPHIC COMMUNICATION.

SIR EDWARD WATKIN (Hythe): I beg to ask the Postmaster General whether a continuous service on the land telegraphic railway lines has been, or will be, established in connection with the continuous or 24-hour service of "Lloyds," between the lighthouses on Tory Island and the mainland of Ireland, in protection of shipping, life, and property; and, if not, would he explain what are the impediments?

***MR. RAIKES**: As the hon. Baronet is aware, the cable provided by "Lloyds" between Tory Island and the mainland is connected with the sub-post office at Dunfanaghy, which is open for public telegraphic business between the usual hours of 8 a.m. and 8 p.m. The Committee of Lloyds pay the Post Office for working the cable during those hours, and the Department has offered to work it during the night on certain terms which are now under the consideration of the Committee. The Committee have also been informed that it has been arranged to place Dunfanaghy in direct communication with the Post Office at Londonderry, and that the latter office will be kept open continuously.

THE LATE DUKE OF BEDFORD.

MR. COBB (Warwick, S.E., Rugby): I beg to ask the Secretary of State for the Home Department whether it is truly stated in the London Press that a Coroner's inquiry was held relating to the death of the late Duke of Bedford; whether it is the custom to give notice to the police of the holding of a Coroner's inquiry, and if such notice was given in this case; whether it is the custom to make out a list of the inquests which are about to be held, to allow the representatives of the Press to inspect such list at the Coroner's Office, and whether the case of the Duke of Bedford was omitted from any such list, although other cases were included in it; and whether the Home Office will obtain full information from the Coroner as to the causes which have led to this case being treated differently from ordinary cases, and as to the secret nature of the inquiry?

MR. MORTON (Peterborough) had also the following question on the Paper: To ask the Secretary of State whether his attention has been drawn to the statements in the Press as to the absence of the public and the reporters from the inquest on the body of the late Duke of Bedford; whether the District Coroner was within his legal right in conducting the inquest in private, and without the usual notices; and, if so, whether any such right has been exercised in recent times; and whether he will consider the desirability of making such procedure in private illegal in future, in view of the practice of cremation, which destroys the evidence of the cause of death?

MR. MATTHEWS: I will answer this question and that of the hon. Member for Peterborough at the same time. I am informed by the Coroner that an inquest was held, that notice was given to the police, and that an Inspector of Police was present. It is customary, though not obligatory, for the Coroner to place a list of inquests (not always a complete list) in his outer office. The Coroner gave no directions to omit the case of the Duke of Bedford from the list, and, as a matter of fact, the case was included in the list. No difference whatever from the usual practice was made in the treatment of this case, and the Coroner reports to me that the family of the deceased were informed that this was an open inquiry in a Public Court, which anyone might attend. The Coroner knows no reason why the public and reporters were absent. They were not excluded at his instance. As the Coroner did not conduct this inquest in private, the question as to his legal right does not arise.

MR. COBB: I should like to ask whether the right hon. Gentleman is aware that in the same paper containing the short paragraph announcing, six days late, that there had been an inquest, there was a full report of an inquest held before the same Coroner on the widow of a sculptor, and also before another Coroner of an inquest, also held the previous day, on a sign painter, who likewise committed suicide; whether he can find out or can account in any way for the difference made between the cases of these comparatively humble individuals and the case of the late Duke of Bedford? I also wish to ask whether the Coroner means to allege that, the Press having had full information of the inquest in the usual manner, no reporters attended it?

Mr. MATTHEWS: I can only answer at this moment the last part of the hon. Member's long question. I understand the Coroner's information to amount to this—that the Press had the usual means of information in the list. If they did not choose to avail themselves of it, it was not the Coroner's fault.

THE IRISH MAILS.

Mr. SEXTON (Belfast, W.): I beg to ask the Postmaster General, with reference to the question of a mail service by the Larne and Stranraer route, and the suggestions laid before him by a deputation from Ulster last June, whether he will now state what offer has been made by the companies concerned, and at what decision, if any, he has arrived; and whether he will lay upon the Table a Copy of the Correspondence and a Return showing how often and to what extent the mails to Belfast and the North of Ireland were delivered late during the half year ended the 31st ultimo?

*Mr. RAIKES: In reply to the hon. Member, I have to say that it is only within the last few days that I have been able to procure full information as to the relative advantages and cost of the Larne and Holyhead routes. I have arranged to receive next week a deputation from the Corporation of Londonderry on the subject, and, as the hon. Gentleman will see, I cannot come to any conclusion until after the deputation have stated their views. I hope, however, to be able to place my views before the Treasury as soon as I have been able to consider any suggestions which the deputation may make. It is not customary to lay on the Table correspondence relating to a matter which is still receiving consideration.

RAILWAY SERVANTS (HOURS OF LABOUR).

Mr. PROVAND (Glasgow, Blackfriars, &c.): I beg to ask the President of the Board of Trade if he has yet received any answer from the Railway Association to his letter written to them about two months ago in reference to the long hours worked by railway servants?

*Sir M. HICKS BEACH: Yes, Sir; I have received a reply, and I propose to lay the Papers upon the Table at once.

THE CROFTERS' COMMISSION.

Mr. PROVAND: I beg to ask the Lord Advocate when the next Report of the Crofters' Commission will be laid upon the Table?

*The LORD ADVOCATE (Mr. J. P. B. Robertson, Bute): The Commissioners are now at work on their Report, but some weeks must elapse before it can be laid on the Table of the House.

THE EASTERN HOSPITAL AT HOMERTON.

Mr. PICKERSGILL (Bethnal Green, S.W.): I beg to ask the President of the Local Government Board whether inquiry has been made, as requested in November last by the Hackney Guardians, into serious allegations proposed against the management of the Eastern Hospital at Homerton; and, if so, by whom, in what manner, and with what result?

*The PRESIDENT of the LOCAL GOVERNMENT BOARD (Mr. Ritchie, Tower Hamlets, St. George's): In November last the Local Government Board received a statement containing serious allegations as regards the management of the Eastern Hospital of the Metropolitan Asylum Board at Homerton. The Board furnished the managers with a copy and asked for their observations. A further statement was received from the Guardians of the Hackney Union, on the 6th December, and that also was communicated to the managers. The Board not having received the reply of the managers, wrote to them on the 16th January, drawing attention to the communication referred to, and asking for their observations as early as possible. I understand that the Eastern Hospital Committee have had the subject under their consideration, and that they will submit a Report to the managers to-morrow.

THE LAND PURCHASE ACTS.

Mr. J. E. ELLIS (Nottingham, Rushcliffe): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland when the Returns ordered 28th November, 1890, of applications from purchasers under Land Purchase

Acts, for variations in terms of purchase, and on 5th December, respecting default of instalments under Land Purchase Acts, will be distributed?

MR. MADDEN: The Irish Land Commission have been requested to state on what date the Return ordered on the 28th of November may be expected. With regard to the Return ordered on the 5th of December, I may say that it was received yesterday.

PORTUGAL AND SOUTH AFRICA.

MR. BRYCE (Aberdeen, S.): I beg to ask the Under Secretary of State for Foreign Affairs what information Her Majesty's Government have received regarding the collision between certain Portuguese officers and certain representatives of the British South Africa Company in Manica Land, South East Africa; and whether he can make any statement regarding the progress of the negotiations which have been carried on with the Portuguese Government on the subject of the area of Portuguese influence in East Africa?

*THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir J. FERGUSSON, Manchester, N.E.): Her Majesty's Government have received information of certain places having been taken and re-taken by Portuguese officers and by representatives of the South Africa Company. The merits of the cases have not yet been ascertained, because they depend partly upon geographical facts. The Governor and the Premier of the Cape Colony are on their way to this country to confer with Her Majesty's Government. Negotiations with Portugal on the subject of the area of British and Portuguese influence are not terminated. In the meantime both Governments have enjoined upon their subjects the observance of the *status quo* founded on the limits under the late unratified Convention.

DR. CLARK (Caithness): When does the *modus vivendi* cease?

SIR J. FERGUSSON: It is still existing.

DR. CLARK: For how long will it last—for six months?

[No answer was returned.]

THE BEHRING SEA FISHERIES.

MR. BRYCE: I beg to ask the Under Secretary of State for Foreign Affairs whether he can give the House any information regarding the present position of the negotiations between Her Majesty and the Government of the United States of America regarding the seal fisheries in Behring Sea; whether, in particular, he can state what is the nature of the proceedings reported to have been recently taken in the Supreme Court of the United States in connection with the seizure of a sealing vessel which was sailing under the British flag; and when it is intended to present to Parliament Papers relating to this subject?

*SIR J. FERGUSSON: Negotiations regarding the seal fisheries in the North Pacific Ocean are proceeding in ordinary diplomatic course. A long Note was addressed by the United States Government to Her Majesty's Minister at Washington on the 17th December, to which a reply has not yet been made. The proceedings taken in the Supreme Court of the United States are a motion for a writ of prohibition to the District Court of Alaska in respect of alleged excess of jurisdiction by that Court in condemning a Canadian vessel which was engaged in seal fishery in the open sea. That application has not yet been heard. This course was taken at the instance of the Canadian Government with the approval of Her Majesty's Government and upon the advice of American lawyers. Its object is to bring the case before the highest tribunal in the United States in the fullest manner. It is desirable to point out that in this course there is no interference in any sense with the diplomatic question. Diplomatic negotiations have reference to a wrong which we say has been committed against International Law, and can only be redressed by diplomacy. The legal proceedings, on the other hand, before the Supreme Court, have reference to a wrong committed, as we believe, on British subjects against the Municipal Law of the United States; and redress for that wrong can only be maintained, at least in the first instance, from the Supreme Tribunal of the United States. At present I am unable to say anything as to the presentation of further Papers.

MR. BRYCE: When does the right hon. Gentleman think that any Papers bearing on the question of the application to the Supreme Court will be presented?

*SIR J. FERGUSSON: The hon. Gentleman will see that as the application has not yet been heard it is impossible to make any promise about it.

YIELD OF CROPS IN INDIA.

MR. KEAY (Elgin and Nairn): I beg to ask the Under Secretary of State for India whether a reply has been received from the Government of India to the suggestion made to them by the Secretary of State for India that a table showing the average yield of the principal crops in the various districts should be prepared?

THE UNDER SECRETARY OF STATE FOR INDIA (Sir J. GORST, Chatham): No, Sir; no reply has yet been received.

SKATING IN HYDE PARK.

MR. KEAY: I beg to ask the First Commissioner of Works whether he is aware that a person, said to be the chair contractor for Hyde Park, is using the chairs as a barrier whereby he has enclosed part of the surface of the Serpentine, and is charging 6d. to each person for admission thereto for the purpose of skating, and is exhibiting a printed notice with the heading "Authorised Skating Enclosure," and stating that the above charge is levied upon each person; and whether he will state under whose authority a private person is thus railing off and charging for the use of any part of one of the public parks?

*THE FIRST COMMISSIONER OF WORKS (Mr. PLUNKET, Dublin University): I am afraid that the question of the hon. Member has now only an historical interest, but, for the hon. Member's information, I may state that the matter complained of by him was done under my authority. I was informed from various quarters, through the Press and otherwise, that the fine sheets of water in Hyde Park and the other Royal Parks in London were greatly injured for skating purposes for want of being properly cleaned. It would cost a great deal of money—between £100 and £200 a day—to keep them properly cleaned, and, unfortunately, I had no funds applicable for the purpose. I thought I would try the experiment of how far the public would approve of having a small part of the ice railed off by chairs for those persons who were willing to pay for having it swept. There was only an acre and a half out of the 35 acres of the Serpentine so taken. No sooner had I made arrangements to try my great experiment than the thaw set in! but as far as it went I have reason to believe that it was rather popular, and, as long as it lasted, it had the advantage of giving a certain amount of employment.

INTIMIDATION AT PLYMOUTH—"REGINA V. CURRAN AND OTHERS."

MR. HOWELL: I beg to ask the Attorney General whether he will lay upon the Table, as an unopposed Return, a Report of the trial and the Recorder's decision in the case of the appeal of Peter Curran and others against the Magistrate's decision at Plymouth, on the charge of intimidating a coal merchant, with the view of inducing him not to employ non-Union workmen?

*THE ATTORNEY GENERAL (Sir R. WEBSTER, Isle of Wight): Subject to the approval of the Secretary to the Treasury, but so far as the Recorder's Judgment is concerned, I see no reason why, if any general desire is expressed, it should not be printed for the information of Members of the House. I am not aware whether an accurate report of the trial can be obtained, but having regard to the terms of the Judgment, which states all the facts, in all probability a copy of the Judgment would be sufficient for the hon. Member's purpose. I shall be pleased to show him a copy, corrected by the Recorder himself, should he desire to see it.

THE CORRUPT PRACTICES ACT.

MR. HOWORTH (Salford, S.): I beg to ask the Attorney General whether a promise made by a Parliamentary candidate in the course of a Parliamentary Election that he will in future employ only Trades Union workmen when he has previously employed non-Unionists is contrary to the provisions of the Corrupt Practices Act?

*SIR R. WEBSTER: Upon the facts stated in the question, and assuming that the promise was made in order to influence voters, I am of opinion that such promise is contrary to the provisions of the Corrupt Practices Act.

MR. A. O'CONNOR (Donegal, E.): I wish to ask the Attorney General whether he is prepared, on any day, to furnish an answer to every general or abstract question put by any Member of the House, or are we to consider this as an exceptional occasion?

*SIR R. WEBSTER: My conduct in the past is, of course, in the recollection of the House. I am not aware of any case in which an hon. Member has put a question on an assumed state of facts in which I have declined to give him my opinion.

MR. JOICEY (Durham, Chester-le-Street): May I ask whether the Attorney General has taken any steps to make himself acquainted as to whether any such promise was ever given?

*SIR R. WEBSTER: I have absolutely no knowledge of the matter except what appears on the Paper. If the hon. Member had kindly listened to my answer he would have heard that I said distinctly "upon the assumption of the facts stated in the question."

MR. COBB: May I ask the Attorney General whether the assumption that the promise was made with the view of influencing voters is not the main reason for the answer he has given?

*SIR R. WEBSTER: The hon Member has entirely misunderstood my answer. If he were as well acquainted with the Corrupt Practices Act as I am obliged to be, he would remember that in order to constitute a corrupt practice there must be something which will influence voters. I made no assumption of my own. I used the words "assuming that the promise was made in order to influence voters," which is the condition laid down by the Statute constituting the offence. Hon. and right hon. Gentlemen opposite know that the Election Judge, if any such question were raised, would have to try that question, and to find it as a question of fact. Therefore I was bound to make the assumption.

LABOURERS' ALLOTMENTS.

SIR WALTER FOSTER (Derby, Ilkeston): I beg to ask the First Lord of the Treasury whether his attention has been called to the statement that in a communication from the Commissioners of Woods and Forests the people of Billingborough were informed that Sir Nigel Kingscote as

> "At present advised would not be disposed to grant to labourers allotments which, either in themselves or with other allotments now held by them, would exceed half an acre,

whilst, under the Allotments Acts of 1882 and 1887, Charity Trustees and Sanitary Authorities may be called upn to provide allotments of an acre; and whether it is in the power of any department to evade the intention of the law by declaring that where the land in a particular district is under the control of the Commissioners of Woods and Forests the labourers shall have only half an acre each instead of the acre they might have demanded had the ownership been invested in Charity Trustees or private individuals?

*THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): I must ask the hon. Gentleman to defer the question until Monday. I have not yet had time to make inquiry.

THE TITHE RENT-CHARGE COMMISSION.

MR. GARDNER (Essex, Saffron Walden): I wish to put a question to the First Lord of the Treasury of which I have given him private notice. I wish to know when the proposed Commission on Tithe Rent-Charge Redemption will be nominated, the names of the Commissioners, and the terms of Reference? I may remind the right hon. Gentleman that the Bill is to be taken on Monday.

*MR. W. H. SMITH: The question is not one which refers to the points raised by the Bill. I hope that it will be in the power of my right hon. Friend the President of the Board of Trade to state the terms of the Reference and the names of the Commissioners in a few days.

THE RAILWAY STRIKE IN SCOTLAND.

MR. J. STUART (Shoreditch, Hoxton): I wish to ask the President of the Board of Trade a question of which I have not given him notice, namely, whether he has received any information as to the present condition of the disputes in Scotland between the Railway Companies and their servants?

*SIR M. HICKS BEACH: A great deal of information which may or may not be true on the subject of the dispute between the Scotch Railway Companies and their servants has appeared in the public Press, but I have received no official information in reference to the matter.

ARMY (RIFLES).

Address for—

"Return giving—1. A comparative statement of the number and names of the various parts of the Martini-Henry and New Magazine Rifles, and the number of processes necessary in the manufacture of each several part; 2. A comparative statement of the number of workmen and the number of hours work required to turn out 1,000 rifles in the case of the Martini-Henry and New Magazine Rifles; 3. The number and particulars of the patents taken out by Mr. Speed in connection with processes of the manufacture of the New Magazine Rifle, or with its parts, and the amount of the royalty payable to him in respect of each several patent."—(*Mr. Marjoribanks.*)

MOTIONS.

AGRICULTURAL TENANTS' IMPROVEMENTS BILL.

On Motion of Mr. Seale-Hayne, Bill to compensate Agricultural Tenants for improvements, ordered to be brought in by Mr. Seale-Hayne, Mr. Channing, Mr. Cobb, Mr. Thomas Ellis, Sir Bernhard Samuelson, and Mr. Halley Stewart.

Bill presented, and read first time. [Bill 166.]

JUSTICES OF THE PEACE BILL.

On Motion of Mr. Seale-Hayne, Bill to amend the Law in regard to the appointment, qualification, and removal of Justices of the Peace, ordered to be brought in by Mr. Seale-Hayne, Mr. Bernard Coleridge, Mr. Howell, Mr. Stuart Rendel, Mr. Bernhard Samuelson, Mr. Arthur Williams, and Sir Walter Foster.

Bill presented, and read first time. [Bill 167.]

RAILWAY SERVANTS (TENURE OF HOUSES AND HOURS OF LABOUR) BILL.

On Motion of Mr. Crawford, Bill to make provision with regard to the Tenure of Houses owned by Railway Companies, and occupied by their servants, and to confer on the Board of Trade certain powers of regulating the Hours of Labour of Railway Servants, ordered to be brought in by Mr. Crawford, Mr. Arthur Acland, Mr. Sydney Buxton, Mr. Channing, and Mr. Philipps.

Bill presented, and read first time. [Bill 168.]

VOTERS' SUCCESSIVE OCCUPATION BILL.

On Motion of Mr. James Stuart, Bill to provide for the Registration of Voters for Successive Occupation in the Metropolis, ordered to be brought in by Mr. James Stuart, Mr. Causton, Mr. James Rowlands, Mr. Cremer, Mr. Howell, and Mr. Pickersgill.

Bill presented, and read first time. [Bill 169.]

OCCUPIERS AND LODGERS (METROPOLIS) BILL.

On Motion of Mr. James Stuart, Bill to provide for the registration of Occupiers and Lodgers in the Metropolis, ordered to be brought in by Mr. James Stuart, Mr. Causton, Mr. Howell, Mr. Cremer, Mr. James Rowlands, and Mr. Pickersgill.

Bill presented, and read first time. [Bill 170.]

ORDERS OF THE DAY.

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

RAILWAY SERVANTS (HOURS OF LABOUR).

*(4.5.) MR. CHANNING (Northampton, E.): When I put upon the Paper the Resolution I am about to move, I was not prepared for the wonderful object lesson which has since been afforded by the great railway strike in Scotland, and which gives a forcible illustration of the necessity of asking the House of Commons to assent to a proposition something like that which I lay before it to-day. The motive for putting the Motion upon the Paper was contained in the words of one of the Board of Trades' Inspectors last autumn. At that time Major Marindin, one of the Inspectors of the Board of Trade, reporting upon a fatal accident on the South Western Railway, in which a driver and a fireman had failed to observe a signal, had said—

> "It is not difficult to account for the conduct of these men, who, I feel convinced, must have been asleep, or nearly so, upon the engine, for they had at the time been on duty for nearly 16½ hours. It hardly needed this accident to show the enormous risk which attaches to the employment of drivers for these inordinately long hours, for it has often been pointed out in previous similar cases, and apart from this, it should be patent to all that there is a limit to human endurance, and that a driver cannot be considered to be in a fit and proper state to perform his very responsible duties after working for such a length of time."

At that time also we were expecting the Returns of overtime work during the months of September, 1889, and March, 1890; and that Return has since been issued. Whilst my action was entirely independent of the struggle between the employers of labour and those they employ north of the Tweed, still that struggle affords a remarkable illustration of the real position of the workers on the railways, particularly as it affects the safety of the travelling public. The struggle illustrates the nature of the services that railway men render to the community, the impotence of Trade Unions to effect a prompt and satisfactory settlement, and the duty of the State to see that railways are worked reasonably in order to obviate serious danger and enormous inconvenience to the public. The House has a right to know the facts, and to deal with these questions as well as the general question which I propose to bring before it. I may say, at the outset, that so far as my immediate object is concerned, I desire it to be understood that I am not advocating a statutory limitation of the hours of railway workmen. I wish rather to obtain, indirectly, the relief of railway workmen from those excessive hours which Directors feel are unjust, by a reasonable extension of the powers of the Board of Trade to enable them to make the conditions of railway work compatible with the interests of the public and of the men themselves. The figures in the Return for the months of September, 1889, and March, 1890, prove that excessive hours of labour are not an abnormal incident, but that they are part of a system; in fact, that the railway lines are undermanned, and this involves the constant recurrence to overtime work which produces the astounding figures we have in the Return. Now, it must be noted that the Returns are not for anything like the period the men demand. Railway men have asked, again and again, for a ten hours day for drivers, and for an eight hours day for signalmen; but this is a Return of overtime worked beyond 12 hours a day; and if 10 hours had been taken as a normal day the figures would have been still more astounding. Taking the 12 chief English and Welsh lines, and the Caledonian and North British lines, the total number of men employed is 55,278. Of these 33,179 worked over 12 hours in September, 1889. This is a proportion of three to five. Of drivers and firemen, 22,592 worked over 12 hours; the number of instances in which they did so was 219,791; and this is at the rate of about 10 per man, or once in every three days. The number of instances in which men worked 15 hours and over was 69,825, or more than three per man. The number of instances in which the men worked 18 hours and over was 7,341, or one in every three. The case of goods guards is nearly as bad, and, indeed, on some lines it is worse. There is another column in the Return which deals with the case of men who, after having worked for over 12 hours, have been called on to return to work without having had an interval of at least eight hours' rest. The cases in which the men have been called upon to return to work without an interval of eight hours were 4,366 in England, and 327 in Scotland. As compared with 1887-88 these figures show a slight diminution in England, and an enormous increase on the Scotch lines, to which I have referred. The Return does not give the cases of men who returned at short intervals after working, say, 11½ hours; and in many cases in which men had worked about 12 hours they may be called upon to resume work after two or three hours' rest, and of these there is no record. On some of the minor railways the figures are still worse. The goods guards, engine drivers, and firemen, and, in some instances, signalmen also, were employed over 12 hours in both months of the Return on the Great Eastern and Midland Railways, the Wrexham, Mold, and Connah's Quay Railway, the Rhondda and Swansea Bay Railway, the North Staffordshire Railway, the Colne Valley Line, the Neath and Brecon, the Hull and Barnsley, the Furness Railway, the Cleator and Workington Junction Railway, and the Brecon and Merthyr Line. The minor lines in Scotland contrast favourably with those in England and Wales. The resumption of work after insufficient rest is also abnormally frequent. On the Eastern and Midland the cases were over 57 per cent., on the Rhymney 77 per cent., and on the Wrexham and Mold 76 per cent. Some of the longer railways do not come out much better. For instance, the cases on the Brighton line were 52 per cent., on the Manchester, Sheffield, and Lincolnshire 55 per cent., and on the South-Eastern 52 per cent.

For all-round overtime the Lancashire and Yorkshire Return was the most discreditable. I am glad to compliment the South-Western, which has made nearly a clean sweep of overtime, and the North - Western has made a considerable reduction in the number of cases of excessive hours over 15 and 18, and of resumption of work without sufficient rest. The Caledonian Returns compare favourably with those of two years ago, as regards long hours over 18 and 15, but I cannot say the same with regard to the North British, whose Returns are deplorable and discreditable. Their Returns show a marked increase in the number of men employed over 12, over 15, and over 18 hours. It is notorious that matters are worse now. Since the opening of the Forth Bridge there has been an enormous increase of labour and strain put upon the staff of the North British Railway Company. It is equally notorious that that company has made no effort to increase its staff so as to meet the strain adequately, and there has consequently been a large increase of overtime labour. The Return shows that in regard to engine drivers working for 18 hours and upwards, as compared with the Return for 1887-8, the increase was from 554 in September, 1887, to 927 hours in September, 1889, and from 514 in March, 1888, to 1,016 in March, 1890. This increase of overtime work on the North British goes very far to justify the present strike of the railway servants, who have been provoked to revolt against what I must call a form of white slavery. The cases of overtime among signalmen, shunters, and platelayers are not so numerous, but such cases do occur. One case has been mentioned to me of a signalman on the Great Western having been on duty 10 hours, and then going on duty at the end of that time for 10 hours more as fog signaller. Besides the hours these men have to work, many of them have to walk long distances between their homes and the places where they carry on their duties. On parts of the North-Western line they are practically 14 hours away from their homes on a 12 hours' shift. The case of shunters is also a case which deserves consideration from the right hon. Gentleman and the House. There have been for years a great number of fatalities among shunters, and these are largely owing to the stupefying and exhausting effects of long hours of labour. The Report of the Royal Commission of 1877 stated that in the opinion of the Commissioners—

> "If, in any action, civil or criminal, in which the proof of negligence on the part of a railway company is essential, the mere fact that a servant whose act or neglect was in question had been at his duty for an excessive period were itself accepted as *primâ facie* evidence of such negligence, the general motives to regularity would be strengthened."

As an instance of the hours worked on the North British Railway I may refer to the case of a driver who between April and December, 1890, worked in successive fortnights from 152 to 203 hours, which is from 14 to 20 hours a working day. These facts are simply appalling, and quite unjustifiable. Some of the facts proved before the Royal Commission in 1876 were quite as startling. A goods guard on the Lancashire and Yorkshire Railway worked 248 hours in a fortnight, and days as long as 23, 27, and even 34 hours were worked on the Great Eastern Railway Company, while a driver on the North British Railway worked 108 hours in six days, leaving only an average of six hours a day for rest. A witness was asked whether there was no limitation of time by the rules of the company. He replied that no man ought to go on duty again until he had had eight hours' rest, but he admitted that in the instance just given the rule had been broken almost every day. According to Mr. Galt, of the 16 classified causes of railway accidents, excessive hours of labour is the most easily preventable. Mr. Findlay, of the London and North Western, admitted that 10 hours a day was enough for a working day; and Sir James Allport, of the Midland, stated that the conditions of railway work constituted a tremendous strain both upon drivers and signalmen. He stated in 1876 that drivers and signalmen had often to keep in their minds the relative positions of three or four trains and signals at the same moment. If that was so in 1876, any one acquainted with railways would know how much the difficulties of working them had increased since then. I think any hunting man in the House would infinitely prefer taking a young horse over the stiffest of unknown countries to taking an express engine down from Euston to Perth with only the few days' coaching which some of the "blacklegs" had had, who had been trusted to drive engines within the last few weeks. They have had to undertake most responsible duties without the slightest knowledge of the signals, and only a general knowledge of the engines they have to drive. There have been several lamentable accidents on the Scotch lines during the strike, and a great risk of many more. I think the travelling public are much indebted for their safety to the admirable skill, patience, and loyalty with which the men have carried on their duties. Attention has been repeatedly drawn to the question of excessive hours by the Inspectors of the Board of Trade. In his Report on an accident at Wortley East Junction, on the Great Northern Railway, by which 35 persons were injured on the 29th of December, Major Marindin said—

> "The driver and fireman of the Great Northern engine had at the time of the collision been on duty 18¼ hours, which is far longer than any driver should be allowed to work either for his own sake or that of the travelling public. It is true that these hours were, owing to the fog, abnormal, but even his regular hours, 13, are too long."

In the last few days a large number of these Reports have been issued, in which similar comments are made on the long hours of railway servants. General Hutchinson, reporting upon a collision near East Croydon on the Brighton Line, on December 10, where 18 passengers were injured, calls attention to the fact that the booked hours of four of the servants concerned in the collision (from 12 to 14½) are objectionably long, and are liable to be constantly exceeded. Two Reports of Major Marindin show how the Companies neglect repeated recommendations. A collision occurred at Preston in July, 1889, on the Lancashire and Yorkshire Railway, and in that case he reported that the hours worked by the driver were a great deal too long, and added, "No man can keep his attention up, so as to be an efficient driver, for a period of 15 hours." In a case at York, two months later, in which 13 people were injured, the driver had been on duty for 15½ hours. Major Marindin urged that—

> "In the last accident upon the Lancashire and Yorkshire Railway, which I investigated, I had to call attention to the excessive hours of duty of a driver, who had been on duty over 15 hours; and as such long hours are neither fair to the men, nor safe for the travelling public, it is high time they were put a stop to."

You will find that many of the Reports show that the signal men or drivers have only been on duty for four or five hours when an accident occurred. That means that the men were exhausted before they commenced work by previous overwork. It is said that men are anxious to take overtime, and no doubt that is, in some cases, true. A case has occurred of a man volunteering after 12 hours' signal duty, to go on for 12 hours more, in order to relieve a comrade whose child had died. Three or four hours later an accident occurred, and the signalman was blamed for it. What we complain of is that when recommendations have, in a great number of instances, been made by the Board of Trade, there has been no real recognition of those recommendations. On nearly all the great railways of the country it is still the practice of the companies to book men on or book men off, for a period of time which the Railway Companies know perfectly well by their experience will be exceeded by two or three or four or five or six hours. This is going on all over the country, and I venture to condemn those concerned in railway management, expressly on the ground that by booking men for hours, which they know will be exceeded, they are causing great risks to the public, and are earning their dividends by saving the wages of the few extra men who ought to be employed, if the lines were worked on a system tolerable to human nature. And the Returns for one month show that there were no less than 70,000 such instances of over 15 hours consecutive work. There is one case to which I drew attention, and which led to a correspondence between the Board of Trade and the Brighton Railway Company. Two years ago an unfortunate man was employed in fog-signalling on that Company's line. He was nearly 60 years of age, and had been long in the service of the Company. He was engaged in fog-signalling for no less than 21½ hours out of the 24. This was on the last day of 1888, in bitterly cold and foggy weather He had six hours' rest, was then put on again, and two hours later was cut down by a passing train. The Board of Trade most properly drew the attention of the Company to this fatality. Mr. Sarle, in reply, said the men were willing to undertake the work, and it was difficult to obtain men of adequate knowledge for such responsible and difficult work as that of fog-signalling in crowded parts of the line near the Metropolis. The Secretary to the Board of Trade made a very proper reply to Mr. Sarle.

> "There could be no doubt that the hours during which the man was on duty were excessive, and the Board of Trade admitted the difficulty of conducting the traffic during the prevalence of dense fogs. He pointed out, however, that such a condition of the atmosphere was now so common that it should be provided against by a permanent increase in the staff of Railway Companies rather than by exceptional overtime."

He added—

> "That an excessive desire on the part of the railway servants to increase their earnings should not be indulged in so as to become a source of danger either to themselves or to the public."

The remedy there laid down is exactly what I ask the Board of Trade to take powers to apply to night. I say it is a shame that the companies should not train more engine-drivers, firemen, fog-signalmen, and other railway servants, with the object of preventing this undue strain on their staff. I would next urge that the men have put forward their demands for shorter hours in a reasonable way. The President of the Board of Trade may remember, though he was not in Office at the time, that one of the first actions of the Amalgamated Society of Railway Servants 15 years ago was to lay before the Board of Trade a memorial in which they ascribed many accidents to excessive hours and insufficient staffs. They suggested that the Board of Trade should take power to direct the Companies to adopt safer modes of working their lines. This I am heartily glad to be able to thank the President of the Board of Trade for having done the year before last. These men also asked the Board of Trade to make of the Railway Commission a sort of Board of Arbitration or Conciliation for dealing with such disputes as that which is now convulsing Scotland. I do not attach exclusive importance to the wording of the Motion I have laid before the House. On the contrary, if the President of the Board of Trade would agree to set up a Board of Conciliation which might be absolutely impartial in dealing with these questions, I would not oppose that as a solution of the matter till the further question of hours became riper for solution. I wish to point out that these men have not been animated by a desire to make a sudden and malicious pounce on the increased earnings of the companies, but that for the last 20 years they have consistently urged the claim that their hours of labour should be shortened. I do not think it comes well for the Railway Companies to sneer at the men and say the only thing they have in view is to get a few shillings more pay. The men are asking what the Board of Trade have told them repeatedly they ought to have, and what Mr. Findlay, of the North Western Railway Company, told them years ago was the basis of a fair day's work. Their claims are reasonable, and ought to be considered in a reasonable spirit. The North Eastern and the Taff Vale Companies have practically assented to the claims made by the men. It is a striking fact that no one in Scotland has been put forward by the Directors to challenge the men's demands. What the Directors have said is that they will not treat with the Trades' Unions, and that the men must return to work and trust them to treat them with justice. What has occurred in Scotland is simply this: The Scottish lines, and especially the North British, have been carrying out great improvements which are likely to result in an increase of profits to the companies, and they have very largely done so by pinching and starving their staffs and undermanning their lines, thus paying for the improvements at the expense of the men. Deputations of the men have gone to the Directors, and the result has been that the leaders of the deputations have been cashiered on the first pretext. Mr. Galt, in his separate Report as a Royal Commissioner, drew attention to the case of a guard who had given evidence of long hours before the Commission, and who was in consequence turned off his line. I feel that the spirit of tyranny which animated that company in 1876 is the same spirit that is animating the North British Company now, and I shall continue to hold that opinion unless they give some better evidence of being fairer and juster in their treatment of their men. The men have had recourse to their Trades' Union, and have put forward spokesmen who are in an independent position, and cannot, therefore, be interfered with by the Railway Companies. The action of the Company has even roused the indignation of the Solicitor General (Sir E. Clarke), who said recently that the Scottish lines were acting contrary to common sense and the spirit of the times in not recognising the existence of Trades' Unions as representing working men. After that remark of the Solicitor General I do hope that Members on both sides may deal with this question in no Party spirit. The Railway Companies have insisted that their men should act the part of slaves, instead of rational men, who could and would discuss the conditions of labour. The position of the Trades' Unions in this struggle constitutes the strongest argument for saying that, when the shareholders have been fined to the amount of £150,000, and the trading public to an almost incalculable amount, the State should intervene and bring such a state of affairs to an end. Such a strike is a great crime. Who are the criminals? Ask yourselves what is the fundamental question on which the strike has turned. Does any one dispute that the men ought to work 10 hours or less instead of the enormous number of hours they have worked? No representative of the North British or the Caledonian Companies will, I think, stand up in this House and challenge the substantial justice of the men's demands for a reduction of hours. Then the question arises, "Can the companies afford to grant that demand?" The gross receipts for the last year on the principal lines were £75,500,000, as against about £66,000,000 in 1884, so that there has been an increase of about £9,500,000, or 15 per cent. In the first half of the year 1890 the gross increase on the main lines was £1,492,000, and in the second half it was £1,175,000. Twenty-one companies show an increase of £801,000 earned by an increase in working expenses of only £356,000. Thus the extra money has gone largely to reproductive works, and hours and wages have remained the same. I should like to compare the positions of the London and North-Western and Midland lines with those of the Caledonian and North British lines on this point. I find that in 1884 the net revenue of the North-Western and Midland lines was considerably less than the working expenses, whereas on the Caledonian and North British the net revenue was slightly greater in that year than the working expenditure. In 1890 the net revenue of the North Western and Midland lines was still considerably lower than the working expenses, though representing an increase in the profits of those lines, whilst in the case of the Caledonian and North British there was a very considerable surplus of net revenue over working expenses. The amount of wages paid per train mile is an important consideration to bear in mind. On the North Western and Midland the wages per train mile were about 3d. in 1884. In 1890 they had risen to practically 3½d. On the two Scotch lines the wages per train mile were practically 2½d., both in 1884 and 1890. This means that the latter lines—and the same observation applies to some of the English lines—are persistently undermanned. In the days of depression they have starved the staffs, and now that the time of prosperity has come they have not increased the number of their men sufficiently to meet the increase of work, and the greater complication and difficulty of the work. I say there is money enough to do justice to these men, and when it is shown, on good authority, that they ought not to work more than a certain number of hours in a day, and that they have to work, in many instances, 15 or 20 hours a day; some authority ought to be able to say that a system which wears the men out in body and soul should be put an end to. I think it is marvellous that the North British Company should not have considered that it would be wiser to make some fair concession to their men on this question of hours before they arrived at the present condition of affairs. Is it not insensate folly, on the eve of the 20th century, to treat men as if they were children or slaves?

What are the two features of the times? Now at last education has gained a hold upon the working classes, and for the first time the working classes have almost universally had power placed in their hands by the Parliamentary vote. Education has, at the same time, enormously multiplied the wants and desires of the working classes, and has enormously diminished the amount of crime. That is a tremendous fact. It means that the wants and desires developed in the new generation are legitimate aspirations for higher and more refined conditions of life and labour. These facts must lead to a considerable change in the relations of capital and labour. And I say it will be the height of unwisdom in any body of employers, in any political party, and in any Ministry to turn a deaf ear to these demands. The Board of Trade is the protector of the public, and it is the protector of these men. Railways are monopolies granted by the State under strict conditions of service being rendered to the travelling public. The Board of Trade has the responsible duty of seeing that service rightly and properly carried out, and I ask them by my Motion to deal with the question from the point of view of their responsibility in regard to railway safety and to the fair and just carrying out of the State monopoly granted under the supervision, and in some sense under the control, of the Board of Trade. I do not wish to say a word to disparage the administration of the right hon. Gentleman (Sir M. Hicks Beach), the greater part of which I admire, but I think the right hon. Gentleman has incurred grave responsibility in not acting on the provisions of the Railway Regulations Act. It is notorious that every provision relating to the safety of the public—such as those referring to block-signalling, and so forth—has been violated again and again. The Board of Trade has on this point incurred a very serious responsibility, and a vaster responsibility would have rested on them if, during the past few weeks, some ghastly catastrophe had occurred in Scotland. They have had memorials laid before them by Scotch authorities begging them to deal with this question. The Board of Trade now had power to issue orders for the safe working of railways. [Sir M. Hicks Beach: No.] They could, at any rate, issue orders as to the use of the block system, inter-locking of signals, and things of that kind, and at any time, by using the powers of the Regulation of Railways Act, 1889, they could have brought matters to a head in Scotland. I think the House is entitled to have an answer now to the issues I have raised. What I ask the Board to do is to take power, when evidence has been afforded that these excessive hours are continually being worked on railways, to issue an Order limiting the times at which men can be booked on and off. I would say, for myself, that if a suggestion as to the establishment of a Board of Conciliation were made, I should not be inclined to press the question of State interference too far; but, still, I think that when you have figures as striking as those I have laid before the House, a strong case has been made out for interference of some kind, with the object of bringing the present state of things to a conclusion. I beg to move the Motion that stands in my name.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, the excessive hours of labour imposed on railway servants by the existing arrangements of the Railway Companies of the United Kingdom constitute a grave social injustice, and are a constant source of danger both to the men themselves and to the travelling public; and that it is expedient that the Board of Trade should obtain powers by legislation to issue orders where necessary directing Railway Companies to limit the hours of work of special classes of their servants, or to make such a reasonable increase in any class of their servants, as will obviate the necessity for overtime work," —(*Mr. Channing*,)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

(4.58.) Mr. JOHN WILSON (Durham, Mid): I rise to second the Motion of my hon. Friend. I am very thankful that he has put the question forward, and I am only sorry there is not some one in the House of Commons who can speak directly on behalf of the workmen who are employed on the various railways of the country, as it will, I think, be admitted that there are plenty of gentlemen in the House who can speak on behalf of the shareholders of the Railway Companies. My hon. Friend has found himself in strict harmony with a great authority on railways, and one who, while he sits in this House, is at the head of large railway undertakings. I refer to Sir E. Watkin, who has said—

> "Railway strikes ought not to be allowed at all, but should be put down with the strong arm of the law or the stronger arm of public opinion."

I might say, by way of interjection, that if those who manage the Scottish Railways had been amenable to public opinion, the strike that has been prevailing there would have been finished ere this. We all acknowledge that public opinion is on the side of the workmen. Public opinion recognises and fully admits that the demands of the workmen in Scotland are reasonable, not only as regards the hours of labour, but in the request made that negotiations should be opened with representatives of the employers, that these should meet the spokesmen acquainted with the work on railways in the various grades, and that in a mutually reasonable and manly way they should together settle the grievances that now exist. It is unnecessary for me or any hon. Member to get up and offer in any way to supplement what has been said by my hon. Friend who moved this Resolution, nor do I think it would be very easy for any hon. Gentleman to minimise my hon. Friend's statement as to the long hours of hard labour these men have to go through; but there is one reference I should like to make to a remark of my hon. Friend, in which he used an expression which we in Trades Unions understand as a technical term—the expression "blacklegs," as describing a certain section of workmen, and I noticed that hon. Members on the other side received the expression with indications of disapproval. My hon. Friend was remarking upon the serious danger to those who travel on Scottish railways through the employment of inexperienced hands in the train service, and I infer from the signs of dissent that hon. Gentlemen do not recognise that danger. [*Cries of* "No, no!"] Then I apologise for my misapprehension, and hon. Gentlemen have no contention with us on the point. We are agreed on both sides; those who represent capital and those who represent labour are agreed that the hours the men work are excessive and unjust. Then, if employers will not enter into negotiations with those who show proper credentials as representing the men, I say there should be some authority—some Board—to step in and say these things shall be settled in a reasonable and amicable manner; and if this were the case, there would be no need for any hon. Gentleman here to interfere in the question. I wish to make myself understood. I approve of the Resolution simply because it does not contain a proposition that legislation should fix the hours of work. If this Resolution contained a legal definition of the hours a man should work in all or any special trades, I should not stand in the position I now occupy. What I recognise in the Motion is a proposition that the Board of Trade should have power to interfere, and I assume that the Board would only exercise that power in cases where employers and employed were not agreed. There would be no occasion to interfere if companies took a course similar to that followed by the North-Eastern, which company, in consultation with their *employés*, came to an arrangement as to the hours of work at Christmas time. The intervention of the Board would only arise in urgent cases, and there would be no legal fixing of a number of hours. My hon. Friend remarked that the only opposition that could come would be from those who fear a reduction in their dividends. Well, it is the safety of the public and the welfare of thousands of men who work on the railways, and the opportunity of leisure and improvement, on the one side, with the claims of capitalists and demand for dividends on the other; and as in some measure representing the men, I do not hesitate to say which scale ought to kick the beam. This is certain, that railway profits come from the public, and I am quite sure that people will not object to some extra charge in order that the men who work the trains may be employed at reasonable hours and for proper pay. My hon. Friend has stated that there are 248 gentlemen in this House who are interested in railways; and if that be the case, may I offer this rough suggestion: that a man is not a machine, and that he cannot work beyond his strength, and that if a capitalist tries so to work him, then the value of his services will be lessened. For capitalist and worker it is far better that the hours of labour should be reasonable; for if a capitalist strains his powers against the workman, he will lose by the work he gets. These long hours are imposed upon the workmen. There are some who object to the word "imposed," and say the men are not compelled to accept the conditions. Why is there this strike in Scotland? Because the Directors refuse to meet the demand of the men for shorter hours. We know the weapons that are drawn and used in these struggles, and ofttimes the logic of poverty and distress defeats the cause of right. In the present case the weapon upon which employers depend is the cupboard—they hope to starve the men into submission. I speak the voice of labour, and I appeal to every hon. Gentleman who will ere long have to appear on an election platform, where he will say the welfare of the working classes is a cause he has at heart, and I ask him what answer he can return to electors if he assists in imposing further burdens on the railway servants. These men on the Scotch railways are demanding no more than their right. They supply, as my hon. Friend has said, an object lesson for the debate, and all we ask is that such men shall be saved from a cruel and unjust imposition, it having been made clear that their cause is right. It has been said the men are perfectly content to work overtime for extra pay. The strike in Scotland belies that statement. The demand of the men is that a week's work should consist of 60 hours. Will any hon. Gentleman here say that a man on a locomotive with a train, peering into the darkness, anxiously watching the signals, every nerve on the stretch, all his energies taxed, is not long enough employed with a day of ten hours? I think there can be but one opinion upon that. We are trying to step in and save these men from a cruel and scandalous injustice imposed upon them. This Resolution would save us from that contortion of justice so often shown in the verdicts arrived at after fatal railway accidents. A man is kept in a signal box for 14 or 16 hours, or a driver is on duty for 17 or 18 hours; an accident occurs; evidence is taken; the man is indicted, and often a verdict of manslaughter is returned against him. I speak now with all the moderation I can use; but I say it is not the man who should be indicted, but those who force him to work so many hours together upon duties that require all his energy and attention. I have nothing further to say. I take on myself, in the name of railway servants and in the name of large bodies of labourers, to speak as in a united voice. I should hail the time when a Representative of railway servants could stand here and describe to the House the actual situation; but while there is no such direct Representative here, it is incumbent upon us to speak as the advocates of the cause of labour, and thus I second the Motion of my hon. Friend.

*(5.14.) MR. HOWORTH (Salford, S.): My hon. Friends the Mover and Seconder have put us under an obligation by the temperate and discriminating manner in which they have introduced this Motion, and for myself I may say that I could not help responding somewhat to the unsophisticated and earnest eloquence with which the hon. Member for Durham (Mr. Wilson) put the case before us just now. Both hon. Gentlemen must have felt that a large portion of their case met with a sympathetic echo from this side of the House. I very much regret one expression, however, which fell from the Mover, and which was out of harmony with the general tenour of his speech. The hon. Member used the term "blackleg" in describing a man who sells his labour in the open market and who is in a perfectly legal position. Such language may possibly be excused in the heat and turmoil of a labour contest among excited men; but it ought not to have been used in this House. It is unfair and unjust. Apart from this phrase, I am bound to say I agree with a very large portion of the hon. Member's speech. Of course, he stated the case *ex parte*, but there are few of us who cannot confirm more or less the facts and testimony he has given. Further, I would say that if it can be proved—and I think it can be abundantly proved—that there are grievances, very serious grievances, from which the men suffer, it is a very unfortunate thing that in the present state of general excitement, in the present

state of the labour market, that great employers of labour, and especially great companies, should not forestall these great agitations by meeting the men somewhat with reasonable concessions before matters reach an acute stage. I know that some of the great lines in this country long ago met their men upon these questions equitably and fairly, and that there are now no disputes in England like many of those in Scotland. A very serious responsibility rests on capitalists who allow disputes to reach a stage which makes it difficult for us to justify them. I would go farther, though I may not be altogether supported by Members on this side, and say I could never understand how it is that either single capitalists or a corporation of capitalists should refuse to meet representatives who enjoy the confidence of the men. The great body of working men have not the art or the knowledge which would enable them to put their case in a clear and satisfactory way before their employers. There is also a very considerable danger that any of the men who should take it upon themselves to represent the views of their fellows might involve themselves in personal peril. Therefore, it is not unreasonable to urge that the great employers of labour should put aside some of that prestige which has hitherto attached to them, and receive and consult with in a conciliatory manner the acknowledged envoys of the men. Having made these admissions, I am bound to say that there is one portion of my hon. Friend's speech in which I cannot agree. I am extremely jealous of all cases of interference by outsiders between the capitalist and his men. I feel we are verging upon enormous difficulties when we permit philanthropists to intervene in questions which, after all, are fiscal questions, and can only be solved in accordance with the laws of supply and demand. Labour is only a commodity bought and sold in all the markets of the world, and if you attempt to fix its price by limiting its amount, you must eventually do mischief to the *employé* and also to the capitalist. This used to be an old-fashioned truth of political economy, to which some of us are still attached. We have consented to legislate for the helpless, and that the Board of Trade should intervene in certain cases, but that is for the protection not of the individual, but of the public. It is only on such grounds that the Board of Trade is justified in interfering. I feel that the less we whet the appetite of the Board of Trade for interfering in the disputes between workmen and masters, the more wisely we shall act. I agree with the observation quoted from the hon. Member for Hythe (Sir E. Watkin), that the one thing needed in all these cases is to let in the floodlight of public opinion upon the conditions on which the workmen are employed, and that must ultimately have its effect. When a Royal Commission sat in 1872, a number of English lines, in accordance with its Report, changed the rules for the employment of their servants, and at this moment the regulations are exceedingly rational and are most satisfactory to the men themselves. I would suggest, as an alternative to Boards of Arbitration —a proposal to which I see all kinds of objections, and which does not commend itself to my judgment—that we should converge public opinion, and bring it to bear on this subject. I would suggest to the Government—ortherwise some of us with the views we entertain will not be able to oppose the Resolution of my hon. Friend—that they would do wisely to allow some form of Committee of this House, or Royal Commission, to take evidence, not *ex parte*, such as the hon. Member for Northamptonshire made use of——

*MR. CHANNING: Returns.

*MR. HOWORTH: No doubt a portion of the statement was founded on Returns, but a large portion of it was from *ex parte* evidence.

*MR. CHANNING: The whole argument of my speech was based on the Returns of the Board of Trade and the Reports of its Inspectors.

*MR. HOWORTH: Of course, I accept the hon. Member's statement. I was under a misapprehension, for I supposed that a portion of the hon. Member's argument was based upon other than official evidence. In any circumstances, there would be brought before the Commission an amount of evidence such as must necessarily affect the opinions of the large mass of the Railway Directors in this country without endangering a position which this House would not like to see endangered—namely, that trade disputes should be managed by the parties to the dispute rather than by the intervention of this House or any Department of Her Majesty's Government. My right hon. Friend would meet the wishes of many Members of the House if he could see his way to the appointment of such a Royal Commission.

*(5.25.) MR. BUCHANAN (Edinburgh, W.): After the speech we have just heard I desire to say a few words. The substance of the speech of the hon. Member for Salford comes to this: that we should leave a settlement of the difficulties as much as possible to the force of public opinion, or, as he said, we should endeavour to get public opinion to converge as strongly as possible on the parties to these trade disputes, with a view to bring about better arrangements of hours and conditions of employment. Now, I think if there is any course of events which can illustrate the carrying into practice the theory of the hon. Gentleman and the policy he recommends, we find it in relation to the railway strike in Scotland. Though public opinion has been brought to bear upon the dispute in the strongest possible way, yet is there very little effect to show from it. Before dwelling upon that, let me say we have in the Motion of my hon. Friend a statement of grievances, and a remedy suggested. I will not weary the House by referring to any further facts or figures; sufficient have already been given, and we have had the case put strongly, carefully, and eloquently by the hon. Member for Durham in the interest of the men. As soon as the Motion appeared on the Paper we foresaw that the remedy suggested by my hon. Friend would be met by the argument brought forward by the hon. Member for Salford—"Why not leave this to the force of public opinion?" Now, what has been taking place in Scotland during the last four or five weeks? My hon. Friend has pointed out from the Returns how the Scottish Railway Companies, and particularly the North British among the larger companies, show among the worst as regards excessive hours of labour, and he also showed, I think, that this was not an occasional excess, but a continued and persistent imposition of excessive labour upon the men. I have had some acquaintance with this question for the last seven or eight years, and I know that during this time this question of excessive hours of labour on Scottish railways, and particularly upon the North British, has been a continual grievance. Over and over again deputations have come to us from our constituents urging this matter upon our consideration. I and my friends have attended meetings on the subject, and generally our advice has been to the men, "Urge your demands upon the Directors temperately, moderately, firmly, and if they are reasonable men, you are sure to obtain some satisfaction for your demands." Well, the men continued to do this every year, yet they received very little satisfaction. Within the last four or five weeks they have taken the matter into their own hands, and have gone on strike. How have we endeavoured in Scotland to converge public opinion upon this question? Such opinion has been evoked from all kinds of sources, not merely representative of the Unions of the workmen and of Trade Councils, but of other Public Bodies throughout the country. These bodies have summoned special meetings, and have passed resolutions on the subject, and I think I am perfectly within the mark when I say that there has been an absolutely unanimous judgment with regard to the substantial nature of the grievances of these railway men. There has been no hesitation on the part of the general public upon this matter. The public have been furnished not only with Returns presented to this House, but also with statements by the men themselves. They know that the men are compelled to work at least 12 hours a day, and are paid by the fortnight of 144 hours, and that as a result there is a system of continuously working for excessive hours. Now, at Edinburgh we have had at least two large public meetings on the subject. The Town Council have memorialised the Board of Trade upon it, and the Trades Council, which represents the general body of working men, have adopted a similar course. Public meetings have likewise been held in Glasgow, Perth, Aberdeen, Dundee, and Motherwell, and other places where the railway

population is large, and all have agreed that the grievances of the men are real and their demands moderate. What is it they ask? First, they asked that which has, I believe, always been conceded on some of the English railways—namely, a 10 hours day. But when they saw they would not probably be able to get that, they made a concession, and through the hon. Member for Haddingtonshire they asked the Directors for a 60 hours week and overtime beyond those hours. The Directors, however, told my hon. Friend that the men must return to their employment before their request could be considered. Then the matter was taken up by the Lord Provost of Edinburgh, and next by the representatives of a large public meeting at Glasgow, but in each case the Directors gave the stereotyped reply that the men must first return to their work. Lastly, as showing the moderation of the men, they secured the intervention of a distinguished and popular nobleman, who is also a Railway Director—Lord Aberdeen — and the Executive of the two large representative Unions of the men passed a resolution setting forth a statement of the men's case and of their demands, and asking him to see the managers of the railway. If he (Lord Aberdeen) were satisfied that the promise of the companies to redress the grievances of the men would be substantially carried out, then the men would accept his simple assurance to that effect, and immediately return to their duties. They put the matter wholly in Lord Aberdeen's hands. Those who have followed up the different phases of this dispute know that a point was made against the railway servants because they left their work without due notice. Well, the men in the resolution they sent to Lord Aberdeen stated it was only fair he should be put in possession of the full facts, and they therefore acknowledged that a grave error was committed in leaving work without legal notice. The men having thus made another conciliatory proposal, what has been the result of putting the matter in Lord Aberdeen's hands? The resolution was conveyed to Lord Aberdeen last Monday, and the answer appears in to day's newspapers. His lordship in that reply says he is highly honoured by the confidence reposed in him, and fully understands the terms submitted. He interpreted the document in a reasonable rather than in a rigid spirit, and he goes on—

> "It is with sincere regret that I have to inform you that after negotiations and careful inquiry and consultation, I do not find myself in a position to offer—on the basis of your resolution—the advice which is therein contained."

Thus attempts at mediation have failed. Every one knows that Lord Aberdeen is an eminently suitable man to be chosen to conduct such negotiations as these, and as a result of his intervention we find that the statements made over and over again by the Scotch railway managers to the public, that they are willing to redress the grievances of the men is, in his judgment, not to be relied on, and that they have no real intentions to give substantial satisfaction to the demands of the men. Thus the mere act of converging public opinion on this dispute has had no definite result. The men in urging their claims have shown conspicuous moderation—a conspicuous desire to be conciliatory. They have also given way upon points of form; they have been ready to waive their demand that the Unions should directly negotiate with the Directors; they have agreed to waive all questions of personal dignity, and they have entrusted their case to various public men. Surely if public opinion could have brought about a settlement, it would have done so, for no effort has been spared to secure that end. I therefore think that the case of my hon. Friend in favour of something like direct legislative interference—or at least intervention by a Government Department—is greatly strengthened by this statement of facts. I will only urge one subsidiary argument on the subject. In the course of the past few years railway legislation has been progressive in the direction my hon. Friend desires. The Bill passed two years ago imposed certain duties and restrictions on Railway Companies in the interests of public safety, and we now ask the Board of Trade to go a step further. We want it to be placed in possession of a power to step in, and, in the name and interest of the public, compel the two parties in a dispute such as is now going on in Scotland to come to some amicable and reasonable arrangement. We ask this in the interests not only of the men but of trade generally, for during the past few weeks the trade of Scotland has been paralysed and the safety of the travelling public greatly endangered. We do not desire to limit the discretion of the Board of Trade as to the means by which it shall act upon the Railway Companies. We do not wish to limit its discretion as to the legislation it may see fit to introduce, but we are declaring the existence of a very great grievance for which no substantial remedy is at present provided, and we ask the Government in the interest of the public to provide such a remedy.

*(5.45.) MR. C. T. MURDOCH (Reading): The spirit of the Resolution is one with which I am sure many Members of this House are in accord, but still its terms are not such as can be accepted. We cannot, for instance, admit that the Railway Companies impose excessive hours of labour upon their men, for we contend that where the railway servants work overtime it is generally by reason of circumstances over which the Railway Directors have no control. If the Returns as to overtime which are furnished to the Board of Trade are analysed it will be found that in a great majority of cases in which goods drivers, firemen, and guards have worked over 12 hours has been due to the prevalence of fog or to interruption of traffic by special trains, or to other similar causes. Again, the House should not forget that the hours furnished to the Board of Trade do not represent the actual hours of which the men are at work. Take the case of a goods driver. He goes to the engine shed where his engine is, and finds the fire alight, but he is required to be at the shed at least half an hour before the actual commencement of his work, and that time is counted as part of the time he is at work. There is also half an hour at the end of the journey counted in the time of his run. Again, goods drivers, firemen, and guards always have nine hours' interval before undertaking the return journey, by the rules of the service. Frequently, however, it is found that where a driver living in the country runs a train to London, he prefers to shorten the interval and get home as quickly as possible, and thus it is that the interval is shortened. Again, with regard to signalmen. You will find, from the Returns presented to the Board of Trade, that the instances in which signalmen are kept at work beyond 12 hours are comparatively rare. During the past 18 months three classes of signal boxes have been established on most of the lines. When a signalman's duty is continuous and exacting, it is in an eight hours box; when it is less exacting, it is in a 10 hours box, and in the 12 hours boxes the number of trains dealt with is very small. There are very few signal boxes in which the men do over 12 hours' consecutive duty. I think the hon. Member for Northamptonshire ignored the fact that within the last 12 months a very considerable amount has been added to the working expenses of railways in consequence of the increased wages paid to the men. Again, if he will examine the Returns, he will see that on the great lines there has been a large increase in the number of signalmen as well as of goods guards and firemen. Passenger guards do not work long hours, and it does not necessarily follow that they are at work all the time returned. There is generally an interval between the up and down journeys of the trains of which they have charge, but the interval is always counted in the hours of work. The hon. Member for Northampton seemed to think that the Railway Companies had not taken any notice of the recommendations of the Board of Trade. But let me call attention to a Report made by Colonel Rich with regard to the deplorable accident on the Great Western line at Norton Fitzwarren. That Report showed that the signalman, who was the principal cause of the accident, had only been on duty a short time before it occurred; but it was pointed out that the regulations of the company with regard to shunting had not been complied with. Sir Henry Calcraft, in forwarding the Report to the Great Western Directors, called attention to the cause of the accident, and urged the necessity of providing refuge sidings at all stations where trains were likely to be shunted in order to allow other trains to pass. He also recommended the company to consider whether a simple signalling contrivance suggested by the Inspector could not be advan-

tageously adopted. The Great Western Company almost immediately on the receipt of that Report set aside a considerable sum for making refuge sidings on the section of the line between Bristol and Exeter. They have since also had before them many contrivances whereby when a signalman has once shunted a train temporarily on the main line his attention cannot be withdrawn from the fact it is there. I would also point out, as Colonel Rich remarked in his Report, that on the Great Western Railway there is at the present moment an enormous amount being expended in securing the greater safety of passengers. And other railways in the United Kingdom are adopting a similar policy. Now, we cannot accept the Resolution moved by the Member for Northamptonshire. The terms of it are not at all in accordance with the facts; but I do say this, on behalf of the Railway Companies, that they have not the slightest objection to an inquiry into the working of the lines or into the duties imposed on the men. I think that if such an inquiry did take place it would be found that many of the figures which have been brought before this House by the hon. Member for Northampton will bear explanation, and that the case for the Railway Companies will be considerably better than he has made it. I should like to say one word with regard to the Board of Trade's recent requirements on various railway lines. In accordance with the powers granted under the Act of 1889 Railway Companies have been called upon to provide within a specified time most important alterations in their systems, including locked telegraphs, interlocking signals, continuous brakes, and a reduction in the number of mixed trains—trains partly goods and partially passenger. Seeing that the alterations could not be carried out without a considerable expenditure of time and money, a fixed period has been allowed for the work. The time has not yet expired, but the companies are rapidly pressing forward the changes, and no doubt they will be completed by the time fixed. I regret very much that hon. Members who have taken part in this discussion have not confined their attention to the principal part of the Resolution, but have imported into the debate the question of strikes. This is most unfortunate. The House and the public generally have at heart the interests of railway servants, and I believe that amongst the commercial classes it is felt where unfortunately a strike does take place upon a line, it is far wiser to let the men and the Directors come to an arrangement rather than allow outsiders to interfere. Upon most of the great lines, the relations between the Boards of Directors and their servants are extremely amicable, and only a short time ago a number of Great Western drivers at a meeting passed a resolution expressing a hope that the Directors would negotiate with nobody but their own servants. I am perfectly certain of this: that unless the amicable relations now prevailing are interrupted by outsiders, they will continue, and the public will be infinitely better served. I hope the hon. Member for Northamptonshire will withdraw his Resolution. It will be a great pity if he does not, because the inquiry to which we are quite willing to consent, would have far better results than the adoption of the Resolution.

*(6.0.) MR. D. CRAWFORD (Lanarkshire, N.E.): The hon. Gentleman who has just spoken has shown an anxiety that the railway strike in Scotland should be eliminated from this discussion. Not only has he deprecated any allusion to it, but he would seem desirous of persuading the House that it is altogether foreign to the Motion of my hon. Friend the Member for Northamptonshire (Mr. Channing). I do not at all complain of the moderate way in which the hon. Member opposite has just presented his own views to the House, but I venture to think that, if he represented, as I have the honour to do, a district in which the strike, and according to our view, the misguided conduct of the Railway Companies has spread misery and disaster among a large industrial population, he would not regard the strike with so much calmness and indifference as he has evinced, but would be glad, as I am sure the House is, to join my hon. Friends on this side of the House in an endeavour to draw from it some light on the subject dealt with by the Motion now under discussion. I am quite sure that the House and, I may add, the country generally look with a good deal of anxiety for the answer Her Majesty's Government are about to give to the

demand made by this Motion for some action on the part of the Board of Trade. The case for such intervention has already been put pretty fully before the House by my hon. Friends, and therefore I do not intend to detain the House long on the subject. But I think the hon. Gentleman who has just sat down may fancy that he has partly persuaded the House of the truth of his contention that there is in reality no grievance on the part of the Railway servants, and that the complaints that have been made about the effects of long hours are founded upon no substantial fact. The Mover of the Resolution has adduced statistics from the authentic Returns which have been laid before the House, and I will only supplement the figures by giving a few illustrations of the hours that have been worked by railway *employés* in my own constituency, and that within the last month. I find that one man, an engine driver, worked 84 hours in six days, or an average of 14 hours per day; another worked an average of nearly 14½ hours; another averaged 13 hours and 50 minutes; another 15 hours and 35 minutes; another 14 hours and 30 minutes; another 14 hours and 10 minutes; and another 15 hours and 6 minutes, I venture to think that these simple figures will be convincing. I could give stronger ones in individual instances, as I have had cases furnished to me in which men have worked for 48 hours out of 60; but I prefer to take the more moderate instances I have given of excessive over-work as average samples, and I maintain that those hours are such as call for some expression of opinion on the part of this House, and for some consideration as to whether a remedy cannot be applied. It has been said in the course of this Debate, that that the Scotch strike is not the result of a genuine demand for shorter hours, but under that cover it is in reality a demand for more money—that the men are willing to work long hours and that all they want is increased pay, I may state that I have been acquainted with this question for many years in my own constituency, and I have no hesitation in giving a most emphatic denial to this cruel aspersion. I say it is cruel, because, when men are found to be working an average of 14 or 15 hours a day for a week, we do not require to look for any greedy or unworthy motive for the demand they make for the shortening of those hours. I think that the common instincts of humanity are sufficient to guide us, without looking for any avaricious motive. I will go further, and say from my own knowledge and experience of these intelligent and respectable men, who stand high in the ranks of the industrial classes, that the motive which actuates them in making this demand is the desire for further opportunities of improving their education, the desire for home life and for increased facilities for communion with their families. Well, the question is, what remedy ought to be applied? The hon. Member for Salford (Mr. Howorth), in his fair and courteous speech, observed that this is not a case for the philanthropist, but that it is one for the influence of public opinion. My hon. Friend the Member for Edinburgh (Mr. Buchanan) has, I think, shown that every machinery which public opinion could apply has already been brought to bear on the Scotch Railway Directors. It is not to philanthropy that we apply. We appeal to the President of the Board of Trade, not as a philanthropist, but as the representative of a Public Department. We appeal to the right hon. Gentleman as the head of the Board of Trade, and we give intelligible reasons for doing so. The Railway Companies occupy a very exceptional position. They are constituted by Acts of Parliament, and are in the enjoyment of peculiar powers and privileges, which give them practically a monopoly of the traffic of the country. In return for these exclusive privileges, and in the interests of the welfare and safety of the public, we are, I hold, entitled to hold and retain in our hands certain powers of control, and it is on this ground, and on the ground of the semi-public nature of the service which is rendered, that I say my hon. Friend the Member for Northamptonshire is entitled to ask that the Board of Trade should possess some sort of control over the hours of labour. I for one do not expect too much from the intervention of the Board of Trade; but I do expect something. If the men were free to treat through their unions face to face with their employers, I do not think that any intervention on the part of the Board of Trade would be required. But the employers refuse to recognise the union on a point of punctilio, which is highly unbecoming at a moment when misery and disaster are spreading through the land. Only to-day I received a letter from a respected constituent of mine telling me how the railway strike was causing hunger and destitution in quite a different trade. It is grievous in such a state of things to contemplate the attitude of the directors in refusing to discuss terms with the men. At any rate, whether the men were right or not in making the concession, they showed a spirit of great concession and conciliation in consenting to treat with the employers on any other basis than that of the union. In the long run, I contend, these unions will be found absolutely necessary for the men's protection, and I trust they will never be induced to give them up. If strong unions were established, the men on the one hand and the masters on the other, from the unions I feel assured that we might obtain Boards of Conciliation or Arbitration, which would render the intervention of the Board of Trade unnecessary. But as it is, notwithstanding the clear voice of public opinion, the employers decline to adopt any such course. Even after the large concessions which were offered through Lord Aberdeen they decline to come to terms; and when they take take such an attitude we say it would be a good thing if the Board of Trade had power to step in and say, "We cannot tolerate these things any longer; we can no longer allow the employment of the men for these excessive hours to the danger of the public." Such a control would have the effect of making it compulsory on the Companies to treat with the men in a reasonable manner as to the hours of labour. I will not further detain the House, but I have felt impelled to say these few words, because my own constituency is so deeply affected by what is going on; and now that the matter is before them, I trust that we shall receive an answer to-night that may satisfy the reasonable expectations of the public.

*(6.12.) THE FIRST COMMISSIONER OF WORKS (Mr. PLUNKET, Dublin University): I propose to engage the attention of the House for a short time only, and I need hardly say not as claiming to speak on behalf of the Government. I desire merely to speak for myself, leaving it to my right hon. Friend the President of the Board of Trade to represent the views which the Government entertain on this subject. But as I happen to be connected as a director with one of the great railways—the London and North Western Railway—incriminated by this Motion, I should like to be permitted to say how the case stands with us in regard to overtime, and I venture to think that if the House will allow em, I shall be able to present the case in a different aspect from that which has been sketched out in the Resolution and painted in the speech of the hon. Member for Northamptonshire, and of those hon. Members who have supported his Motion. What I principally complain of in this Resolution is its wide and sweeping character. This is not a Resolution directed against the action of the North British or any other Railway Company of whose action any hon. Member may disapprove; it is directed to the whole of the railway systems of the United Kingdom. It is composed of two parts, the first part insisting that—

> "The excessive hours of labour which are imposed on railway servants by the existing arrangements of the Railway Companies of the United Kingdom constitute a grave scandal."

*MR. CHANNING: A grave social injustice.

*MR. PLUNKET: It is printed in the paper as I read it. The second part of the Resolution deals with the allegation that these excessive hours cause great danger to the railway servants and to the public. As to the first of these charges, I will only ask leave to deal with it very briefly. So far as it is a general accusation, it is apparently intended to stir up discord between the Railway Companies and their servants. I hope to show that so far as the great Railway Companies of the country are concerned, they are utterly without foundation. As regards the Railway Company with which I have the honour to be connected, there has never been and there is not now the smallest difference between the Company and its servants. The most cordial relations have always prevailed between them, and I can join cordially in all the praises justly bestowed on the admirable character and conduct of the men. I think the only definite charge made against the London and North-Western Railway Company by the hon. Member who introduced the Motion was the great hardships imposed on the servants of the Company, by their having to walk long distances to the signal boxes. I can inform him that that charge is a most unfortunate one, and is exceedingly uncalled for. For it happens that the London and North-Western Company have built a greater number of cottages for their *employés* than any other Company, for the express purpose of locating them near their work, and they are still engaged in such building That is the only specific charge, I think, which the hon. Member has made against the London and North-Western Company. But what is the first of his general charges? It is that the hours of overtime, which are imposed upon railway servants, are a grave social injustice. What is the meaning of the words "imposed upon the servants of the Companies?" The fact is this: that it is a contract entered into voluntarily and freely by the men, for a week of 60 hours, well paid, and with extra pay for any overtime which exceptional circumstances may render necessary. I say that any person who who really knows what eagerness there is amongst the workmen of this country to enter the railway service, anyone who knows the liberal terms on which those railway servants are engaged, the constant work they obtain, and the opportunities of advancement which they have, will see that it is perfectly absurd, that it is a misuse of language to speak of these terms, which are willingly accepted as part of the contract, as being "imposed" on the servants of the Company. Where, then, is this great social injustice? What are the facts with regard to overtime? I can assure the House that the only difficulty we have in the matter is not any complaint on the part of the men about overtime, even in individual cases, not even reluctance to accept overtime,

our only trouble is to prevent the overzealous servants of the Company indulging in occasional overtime against the regulations which we have made in the most stringent way that we can, to prevent the occurrence of overtime, except in certain exceptional cases. I am not going into the question of the present unfortunate conflict in Scotland, nor into the general question of Trades Unions. I shall, on this occasion, express no opinion upon these questions. I will merely say that I believe there is no kind of employment in the country into which Trade Unions have been introduced to such a small extent as in that of railway servants. I dare say for very good reason, because hardly in any instance has any necessity been felt for recourse to such action. But the really important part of this Resolution is the latter part, and if the insinuations are generally well founded, it is a matter not only for indignation on the part of the House, but one for very grave apprehension. A great deal has been said about the Returns which have been presented to Parliament by the Railway Companies in obedience to the Act of Parliament. It is an old saying that it is easy to twist figures in any direction to make out a case, and especially when the figures dealt with are so complicated and so numerous as they are in this voluminous Return. I shall only ask on behalf of the London and North Western Company, with which I am connected, to deal with the question of overtime, but I believe a similar, or nearly similar, case can be made out for all, or nearly all, the great railways. In fairly arguing this question it does not do to say that there are 70,000 cases of overtime. The importance of the 70,000 cases depends upon the number of men employed, and the number of hours they were engaged, as covered by this Return. I am going to quote a few figures, on which I can assure the House they may rely absolutely, to show the case of the London and North Western as to the average amount of overtime which is worked by their servants. Of course, the figures of these Returns appear very large in the aggregate, but when you take the total number of men employed, and the number of working days, the average of overtime is very small, indeed, having regard to the nature of the employment. The total number of instances of overtime has been reduced to a daily average by dividing it by 26—26 days being taken as the working days of a month—and this daily average, divided between the total number of men employed, shows the daily percentage of men employed more than 12 hours a day. With reference to passenger guards on the London and North-Western Railway, the total number employed in March, 1890, is set out at 449. For that month only three of these were employed beyond the 12 hours, or a daily percentage upon the total number of men employed of ·025. Perhaps the House would like to know how this calculation will compare with the Returns presented to the Board of Trade. I will compare as I go along. I have said that the percentage was ·025; three years ago the figures were 3·18. That shows a considerable diminution of overtime effected by careful rules in that period. I take the case of the brakesmen for the same month. The total number is 1,373, and the number of instances of overtime is 783, or 2·19 against 8·17, three years ago. Next, engine drivers and firemen. The total is 5,652, and the number of instances of overtime is 30,457, or 20·72, as against 29·16 three years ago. As to signalmen the figures are 2,293, number of instances 180, or ·3, as against 64. Examiners: Total, 636; number of instances 176, or 1·06 as against 3·46. These figures show that there is really a very small percentage of individuals who are engaged in working overtime on that railway. And to summarise my remarks, I may say that practically the only class of railway servants who are subject to irregular hours of working, or to what may seem to be excessive hours, are engine drivers, firemen, and guards. But it must be remembered that these men are in many cases not working with the trains during the whole of the time they are represented to be, that they have considerable intervals of rest, and the hours of working given include the time they are in attendance before the starting of the trains. But one must go a little further in order to realise how shadowy is the charge that is made. There is really no excessive use of overtime. I have here a few statements which I shall ask the leave of the House to read from a memorandum which has been very carefully drawn up by the officers of the North-Western Railway. They will give the House a practical insight into how this overtime is worked on the railway of which I am speaking, and they will show that the officers of that company have done everything that it is possible for them to do in order to comply with the policy adopted by Parliament and to reduce overtime to its minimum. I hope the House will be a little patient with me while I read some sentences from this document, because if the House is to come to a conclusion upon so serious a matter as altering its deliberately adopted policy as regards the relations of railway employers and railway workmen, it ought, at least, to understand thoroughly what is the practical working of the machine with which they propose to interfere. I think that these extracts will show that, so far at least as the London and North-Western Company is concerned, the company through its officers has done, and is doing, all that is humanly possible to minimise the risks of overtime, and also will prove the absolute necessity of overtime in certain cases; that, is if the public require a company with but one railway to conduct both a rapid passenger traffic and a vast amount of slow goods traffic. Let me first of all take the case of signalmen—

"At busy stations and junctions, and stations such as Euston, Watford, Bletchley, Wolverton, &c., there are three signalmen appointed for each cabin, which results in shifts of eight hours for each man—the first man usually coming on duty at 6 a.m., the second at 2 p.m., and the third at 10 p.m. At posts of secondary importance, but on the main line, as, for example, Sudbury, Pinner, King's Langley, Atherstone, &c., there are five men for two cabins, so that by utilising the fifth man for the relief of the four others the whole five get 10 hours duty each. On branch lines and at places which, although on main lines, are merely intermediate posts, and not in themselves very busy or of great importance, the majority of the cabins are twelve-hour posts—that is, there are two men for each cabin, one coming on duty at 6 a.m., and the other at 6 p.m., the men taking day and night duty in alternate weeks. On lines which, while they are not trunk lines, cannot by reason of their importance be called branch lines (as, for instance, the Liverpool and Manchester, Rugby and Birmingham, and Liverpool and Wigan) the cabins are eight, ten, or twelve hour posts, according to the varying circumstances of each case. On what is called the southern division, extending from London to Stafford (exclusive of branches), there are in all 112 signal cabins. Of these 39 are eight-hour posts, 31 are ten-hour posts, 42 are twelve-hour posts. There are practically no signal cabins on the London and North-Western Railway, where the men work more than 12 hours. It should be borne in mind that at many of the places where the men are on duty 12 hours the work is light, and comparatively few trains are passing. In addition to the regular staff of signalmen filling the regular posts of duty, who number 2,293, the company have 125 men continually employed for relief purposes in case of sickness or of men requiring special leave of absence, besides which upwards of 350 men ordinarily employed as porters or in other capacities have been trained in signalmen's duties, so as to be competent to relieve the regular men in any case of emergency which may arise."

Now, I contend it would not be possible, unless you establish with a lavish hand an utterly useless staff of servants, to contrive a system which would more carefully guard against the necessity of overtime arising for signalmen in the cases I have taken. Then let us take the case of passenger guards—

"The hours of passenger guards are regulated by what is known as a 'roster'—that is to say, that, supposing there are 10 guards attached to a certain station, a table is drawn up which practically divides the day's work into 10 portions, each day's work for one man being numbered from 1 to 10. The men take these portions consecutively, changing once a week, so that each man will work through the 'roster' in 10 weeks, and will be No. 1 the first week, No 2 the second week, and so on. The 'rosters' for the main line or through guards are so drawn up as to provide for each man working as nearly as possible 10½ hours a day, including half an hour before the departure of their trains; but in some cases, owing to the exigencies of the train service, the men have to work more than 10 hours, and as much as 12, 12½, and even 13 hours, but in such cases they get a rest day, and so only work practically only work five days in the week, or a total of from 60 to 70 hours per week. The hours of the local guards are arranged on the same principal by means of 'rosters,' but they are on the average longer than those of the through guards, and vary from 12 to 13½ hours, including certain intervals between the arrival of one train and the departure of another, which they are at liberty to utilise for meals and for resting. These intervals are often very considerable, and in a great number of cases, although 12½ or 13 hours may elapse between a man leaving home in the morning and returning at night, he has intervals of rest during the day amounting in the aggregate to three or four hours, and his actual time of working is thus reduced to about 7½ or 8 hours."

I know this is rather a dull statement, but really these are circumstances on which we must base our judgment on this practical and most important question. I think the figures I have read to the House must have satisfied all hon. Gentlemen present that every possible precaution has been taken to equalise the work of the men and to impose as little excessive work on each man as possible. Here is the way that overtime comes in, especially in the case of brakesmen and engine-drivers—

"For about seven or eight months in the year the goods trains run fairly well to time-table time, and it is an exceptional circumstance for them to be as much as an hour late, but no doubt during the worst months of the winter—say, from November to March—late running is frequent and unavoidable, and it is in view of this fact that the greatest difficulty in regulating the hours of the brakesmen arises. The men are instructed in every case where they find they are likely to be on duty by reason of the delay of their trains an unduly long time, to report the fact to the station-master at the next station they stop at, in order that the latter may telegraph forward to the nearest place on the journey at which a substitute can be provided, and the man be relieved. No doubt, in spite of all precautions, cases do sometimes arise, and in the nature of things will always do so, in which the hours of the men are unduly prolonged; but the company use every means in their power to minimise these cases, and the men are exhorted to co-operate with those in authority over them in effecting this object. Brakesmen are not allowed any regular meal hours, as they have ample facilities for getting their meals while on the journey, and stoves are provided in the brake-vans to enable them to cook or warm their food. At the principal centre comfortable lodging-houses are provided for the men free of charge, so that they need lose no time in obtaining refreshment and repose at the end of the journey."

Not only are they exhorted to co-operate with those in authority, but if they break through the rule thus laid down, and do indulge in excessive overtime, they are punished, and unless they are able to give a satisfactory account of the delay, the men are actually fined by the company. Now this is almost the last quotation I desire to make, but as it refers to enginemen I am sure the House would like to know how and under what circumstances their employment is regulated—

"The hours of duty of engine-drivers are fixed by a 'roster' and on the 'link' system in the same way as the hours of the guards and brakesmen. The principle upon which the 'rosters' for the passenger service are made up is that of restricting the hours of each man to a maximum duty of 12 hours per day, in addition to which he must be on duty with his engine an hour before the train starts and half-an-hour after finishing. This makes

> a maximum of 13½ hours for a day's work; but in cases where the maximum is reached a rest day is allowed, so as to restrict the total hours for the week to not more than 60. It must be borne in mind, moreover, that the men are not in all cases actually working during the whole of the time that elapses between their leaving home and returning, as it frequently occurs that there are considerable intervals of rest between the arrival of one train and the departure of another. In the case of goods drivers the time fixed by the 'rosters' is restricted to 10 hours time-table time, which, with the addition of one hour before starting and half-an-hour after finishing, makes up a maximum day of 11½ hours, but, as in the case of the passenger drivers, the total hours for the week are restricted to 60. The object of keeping the maximum lower in the case of the goods men than in that of the passenger men is that goods trains are more subject to delay than passenger trains, and therefore the time fixed is more liable to be exceeded. The limits of 13½ hours for passenger drivers and 11½ hours for goods 'rivers are treated as maximums, and the drosters' are compiled so as to restrict the working day as far as practicable to 10 hours. It is to the company's interest to do so, as all overtime made after 10 hours have been worked is paid for at the rate of time and a quarter.''

Then the Memorandum goes on—

> "Of course the great difficulty in dealing with engine men's hours of duty, especially of goods drivers, is the same which arises in the case of the brakesmen—namely, that whatever arrangements may be made beforehand, they are liable to be upset by delays to the trains arising from bad weather, fogs, engine failures, breakdown, or other unforeseen circumstances. To meet this contingency the most careful arrangements are made for providing relief men to take the places of those who may have been detained on duty for a number of hours reaching to or exceeding the maximum of 13 hours, and the men, like the brakesmen, are instructed in such cases to put themselves in communication with the station-masters and co-operate in the arrangements for their own relief."

I have a similar Memorandum with regard to shunters, but as the most important part of this case turns on the employment of brakesmen of goods trains and engine drivers, I will not trespass further on the patience of the House with regard to the shunters. There is no doubt that in the Return which has been presented to Parliament some very striking figures occur even in the column relating to the London and North-Western Railway Company. But the percentage set opposite to those figures in the Return—one in a thousand—proved how entirely exceptional they are. There do appear some instances in which men have worked hours which would really have been a most unconscionable strain upon the endurance of the men, and which would render them quite unfit for work if it was a thing that happened frequently. Certainly it would be a scandalous thing if such instances were allowed to occur where they could possibly be avoided. But the contention all through this Debate has been that the railway companies force their men to this extreme strain upon their strength. The very opposite is the case. Not only do justice and humanity dictate to the company that they should abstain from doing so, but their direct pecuniary interest also. Every instance of overtime is an additional burden on the Railway Company. The truth is that the isolated instances to which I have referred, in which men are worked for very long hours are caused by circumstances which it is perfectly impossible to foresee or to control. Take, for example, a case where a railway engine runs off the line at a certain distance from any station. The engine driver must stick by his engine: it may be for many hours beyond the time contemplated in the duty entrusted to him. But every hour, every minute, of that time will be set down as overtime, and will appear in the Return as part of the overtime, worked on the London and North Western Railway. I should like to give the House one or two instances of how this overtime is really worked out. Here is one:—On the 6th of October a brakesman, of Manchester, was in charge of a train from Rochdale to Accrington, and was on duty—it seems a very long time—15 hours and 15 minutes in consequence of a delay which occurred to his train through the line being blocked by an engine which left the rails. The lines over which the train ran belongs to the Lancashire and Yorkshire, and there was, therefore, no possible chance of the man obtaining relief until he got back to Manchester. In another case a driver and fireman from Crewe were on duty owing to an error of judgment for 21 hours and 40 minutes. On the matter being reported and investigated the driver was fined. How is it possible for any Railway Company to make provision against a case of that kind. But down goes this case in the Return as a case of a man working for 21 hours, and we are told that the company has committed an act of great social injustice to its servants, and that it has apparently most guiltily caused danger to its servants and the public. The real truth is that cases of overtime are not normal, they are exceptional and they are deplored by the companies when they occur. I think I have shown that the companies have taken every possible precaution to prevent their occurrence. They have even gone so far as to punish their servants when they break through the regulations and work overtime, and I say that under these circumstances it is absurd and most unjust to the great Railway Companies of the Kingdom to charge upon them such cases as I have spoken of, as either unjust to the men or guiltily dangerous to the public. I shall not comment upon the proposal which is made at the end of the resolution. I do not very clearly understand the hon. Member to adhere to his original proposition.

*MR. CHANNING: I said I adhered to the proposal, but added that I thought it would meet my view and that of other Members, if something in the form of arbitration was arranged, something similar to what the railway servants asked for 15 years ago, namely, the reference of disputes to some body like the Railway Commission.

*MR. PLUNKET: Well then, is it not a very strange thing to come to this House with such charges as are levelled against the Railway Companies in this Resolution and conclude in such a vague way as the hon. Member has done? If this Resolution is carried, we shall place on the records of this House most calumnious statements as regards the management of the great railways of this country in their dealings with their men, and we shall create a feeling against the companies as regards their measures of protection for the public. I do not think the House ought to be called upon in this off-hand way, and upon such slight evidence as has been adduced, to reverse the policy long ago deliberately adopted by Parliament of not interfering beyond what is absolutely necessary between employers and their servants, but of leaving the responsibility and the risk to rest with those who are invested with the power.

Mr. Plunket

(6.53). MR. LOCKWOOD (York): I, in company with others, have listened with a great amount of pleasure to the extremely interesting Paper which the right hon. Gentleman has read to us on the subject of the working of the London and North Western Railway Company. The right hon. Gentleman has given us his reasons for selecting this Company for the eulogium he passed upon it. He has told us he is nearly connected with the interests of the Company, and therefore, no doubt, the House in accordance with its usual custom listened with great interest to the observations of the right hon. Gentlemen as to the position of the venture with which he is so nearly and closely connected. But when we remember that the hon. Member for Northampton (Mr. Channing), in introducing his Motion, alluded to the case of the London and North Western as one which in the main was an example to be followed by other Railway Companies, it does appear to me that the right hon. Gentleman has been engaged in a work of supererogation in defending a Company with which he is so intimately connected.

*MR. PLUNKET: I am sorry to interrupt the hon. and learned Gentleman, but the hon. Member who introduced this Resolution said that all the companies in England and Scotland were equally bad. [*Cries of* "No, no!"]

*MR. CHANNING: What I said about the London and North Western Railway Company was that it had made very important reductions in the overtime work, for 15 or 18 hours and upwards.

MR. LOCKWOOD: I think I am right in saying that so far from wishing to point the finger of scorn at the London and North Western, my hon. Friend called attention to it for the purpose of showing that the Company has lately been behaving a great deal better than formerly. And what is the kind of case the right hon. Gentleman establishes by the voluminous figures he has given us? It is how well a company can be made if it only tries. What we complain of is that often Railway Companies have not followed the example of the London and North Western in the matter of the time during which their *employés* are engaged in the work of the company, and also in the question of overtime. The right hon. Gentleman has figures which are not at the disposal of the rest of the Members of the House, and for some time, I at any rate, did not appreciate the source from which he drew the figures. The figures with which we have to deal are contained in the latest return, which is dated 1890. The right hon. Gentleman has said there may be instances of overtime, but that they only occur in the cases of engines going off the line, or of some unforeseen circumstance or error of judgment. What was the state of things in 1890? 91·45 per cent. of the engine drivers and firemen were employed for 12 hours and upwards. There were 19,098 cases in which men worked 13 hours. Did 19,098 engines go off the line? Were there 19,000 errors of judgment? If the right hon. Gentleman would take the trouble to compare the position of his company in 1890 with its position at present, I do not think he would use such hard words as he did of my hon. Friend. What stronger argument could my hon. Friend adduce on behalf of this Motion than the condition of things which has been deposed to by the authority to which we have just listened? Had there been on the Scotch railway lines a condition of things similar to that which exists on the great and prosperous line, the London and North Western, the present terrible strike with all its terrible accompaniments would never have taken place. To what conclusion then are we driven? That there are instances in which other Railway Companies refuse to follow the good example we have heard of to-night. All my hon. Friend asks is that in such cases there should be power given to the Board of Trade to intervene. For my part I trust the House is not going to let the matter be shuffled off on a Commission, and I hope my hon. Friend will pursue the matter to a Division.

*(7 2.) MR A. E. GATHORNE-HARDY (Sussex, East Grinstead): I do not wish to intervene for more than a few minutes. I had not intended to speak at all, and I do so now only because I think I can show that the hon. and learned Member for York (Mr. Lockwood) is under a grave misapprehension with regard to the speech just delivered. He seems to think that the right hon. Gentleman on the Bench below (Mr. Plunket) gave figures different from those he himself has taken from the Return. As a matter of fact, the figures given by the right hon. Gentleman were nothing more nor less than an analysis of the official figures giving a daily instead of a monthly average. If you declare that there are 91·45 men employed for more than 12 hours a day, and then say, "Look how many engines that means running off the lines, and how many errors of judgment," and so forth, no doubt it sounds plausible; but when you take the figures and analyse them, and find that in the case of each individual they mean the small percentage that the right hon. Gentleman specified, it raises a very different question. I confess that I, for my part, am not partial to an inquiry, whether it be by a Royal Commission or whether it be by a Parliamentary Committee, into the management of railways; but I cannot help thinking that the speech we have just listened to, and a great many of the arguments used by Members on either side of the House, are a proof that something of the kind is in this particular instance necessary. I cannot help thinking that it is demonstrated to every one who is not led away by mere rhetoric, but who deals with the figures and with the speeches of those who argue the question that there is a great misapprehension as to this matter. Take the remarks that fell from both the Mover of the Motion and the hon. Member who seconded it. Both said, and rightly, that if the safety of the public demanded some sacrifice of the dividends of shareholders, the shareholders should give way, and the safety of the public should be considered. As a matter of fact, this point of overtime is far from being a saving to railways, and is beyond all doubt a very great source of expense to them, and one which they would give a great deal to get rid of. Take, for instance, the normal case of brakesmen, drivers, and firemen, on a goods train—and the great majority of the cases that have been alluded to are derived from these particular sources. With regard to the signalmen, I think I could show that overtime does not often arise in regard to them if I cared to go into the question, especially by referring

to certain railways with which I am intimately acquainted. As to the other cases, there is no doubt that from time to time men do work possibly as much as 15, and occasionally even a larger number of hours. But how is that time made up? It is made up in this way: Owing to the precautions taken for the safety of the public, the goods trains men are shunted into sidings, and yet, although they are not then engaged in arduous duties, and though their time is lost to the Railway Companies, they are paid overtime or time and a quarter for all the time so occupied. So far from this being a saving to the companies or the shareholders, they lose by it. It is impossible, I maintain, to lay down with regard to these hours of railway servants a Procrustean rule. There are many cases in which eight hours might be too much; there are certain signal boxes where men ought not to work that length of time, and there are others where men might work 12 hours and yet the labour would not be excessive. You cannot compare the position of a signalman at Cannon Street or Doncaster Stations, for instance, with that of a small branch line where, perhaps, there are only three trains running a day, and those very well known. You cannot treat the labour of men in small signal boxes like that of the other class, as being continuous. Without wishing to throw ridicule on anyone, I should like to mention a case which shows the absurdity of the inferences which some people draw from the figures. I wish to draw attention to a case in which a man is put down as working 15 hours a day. I happen to have analysed this case. It is that of a man who ran an excursion train down to the seaside in the morning. It took three hours to run down. He spent nine hours at the seaside, and ran the same train back in the evening. He appears on the list as one of the men who is overworked to the extent of a 15 hours stretch in the day, and this is one of the cases referred to which go to make up this indictment of hardship and upon which a great deal of stress has been laid. If I believed it was possible for any regulation of the Board of Trade to do away with this working overtime, I, as representing one of the railways in this country, would very gladly assent. Everyone who has anything to do with the running of a line must know very well that one accident must cost a railway more than the employment of a larger number of extra men. But the difficulty we have in regard to goods trains is that no amount of consideration that I can see would enable us to lay down a hard-and-fast line as to how the men are to be worked for any particular time. Naturally, if passenger traffic is going wrong, goods trains have to be shunted in preference, and have to wait a considerable time. All the Railway Companies that I know are incurring a capital expenditure for the purpose of making additional sidings and bringing into use appliances so as to bring this source of difficulty as far as possible to a minimum. I say it is impossible, by laying down any such regulation, or asking the Board of Trade to lay it down, to put an end to working overtime. Believe me, the manager of every Railway Company in the country is quite as much alive as any Member in the House to the desirability of making all possible effort in this direction. I will not be led into discussing the question of the present attitude of the North British Railway Company, because I think it has drawn away the attention of the House from the real question it has to decide. I believe myself that the effect of the evident misapprehension which prevails in the House is the reason why, in this particular instance, there ought to be some sort of inquiry. With regard to the question of Boards of Arbitration and Conciliation, so far as I can see there is nothing touching upon them in the four corners of this Resolution, and I cannot myself see how that question is to be dealt with. If the House were to interfere in labour disputes in the interest of the safety of the public, then I say it would have to interfere not merely with the action of the employers, but with the action of the *employés*. If it is a dangerous thing, both to the men and the public, that men should be worked overtime, then how much more dangerous is it, at any rate to the public, that railway servants should leave their employment without notice, leaving the trains and the signals at the mercy of the resources of the company. I know that every Member who advocates the case of the

Mr. A. E. Gathorne-Hardy

companies is taking up an unpopular position, but I believe if it be a right position, no one on either side of the House will shrink from his views; and I trust that when hon. Members have expressed their views, those who differ from them will at least give them credit for sincerity.

*(7.15.) MR. C. S. PARKER (Perth): I would give full credit to the hon. Gentleman who has just sat down for doing what he thinks his duty in representing the side—and there are always two sides to a question—of the Railway Companies. We have had the advantage to-night, and I say it sincerely, of hearing the case of the Great Western Railway Company from an hon. Gentleman who represents them, and the case of the London and North-Western Railway from the right hon. Gentleman opposite, and now that of some smaller railway from the hon. Member who has just sat down. I only regret that he should have devoted so much of his speech to attacking what is not in the Resolution. He insisted with considerable emphasis that it is impossible as to hours of labour to lay down a hard-and-fast line. The hon. Member who brings forward the Motion entirely agrees with him as to that, and for that very reason he does not propose a Procrustean rule. He does not propose, even, that the Board of Trade should lay down hard-and-fast lines; but what is proposed in the Resolution, if it indicates anything, is that the Board of Trade should obtain powers by legislation to issue Orders to Railway Companies where necessary, directing that the hours worked by their men should be reduced wherever there are bad cases. That is what is proposed, and for that I intend to vote. There exists in the Act of 1889 a section under which the Returns are made, which have been so useful to-night, and it is due to the hon. Mover (Mr. Channing) to observe that it was he who first obtained those Returns. He wished them to have been fuller, and they were only given by the Government in their present form as a compromise. Such as they are, they have furnished ample material for argument, and his whole case is founded on them; but the facts are only laid down in large figures, and it is necessary to have an analysis before their meaning can be surely ascertained. I do not think much has been gained by two hon. Members who are interested in railways drawing attention to exceptional cases in which the men gain by overtime; the question must be regarded broadly. I believe the men as a body are opposed to working long hours in spite of the increased amount they make in wages. We have been told that the practice of long hours and overtime is not systematic; but there is a phase of overtime work in connection with my own constituency of Perth against which the men loudly complain, and which is carried on systematically. The system is, that the men who are worked for one week 15 hours a day and more are given very short hours in the next week, the object being that the company may not have to pay for overtime, which is calculated upon the fortnight. Many days the men are left at home all day, or had out only for a few hours. I think this House will feel that human nature is not so constituted that it is a sound principle to work men one week for 15 hours a day or so, and the next week let them remain idle—the object being to pay as little overtime as possible.

*MR. A. GATHORNE-HARDY: I may say I know of no such case as that to which the hon. Member alludes. There may be such a case in Scotland, but our men are all paid by the week.

*MR. C. S. PARKER: It is the case, I believe, on one or two Scotch railways, and I am glad to have called attention to it. I think the House and the country may be congratulated on the opportuneness of the Motion. It has not been brought forward in connection with the Scotch strike, the notice of Motion having been given before the strike took place. But this is an opportune time for expressing the sentiments that naturally arise in discussing the question. All the expressions of feeling in this Debate have been such as will, I think, be well received by public opinion. The House may safely accept the principle of the Resolution, because we are not dealing with an ordinary case of employer and employed—we are not interfering in the conditions of labour generally, but are dealing with an altogether exceptional case. We are justified in interfering on the ground that the Railway Companies have obtained certain powers from Parliament in the public interest—and Parliament will always be jealous as to the use of powers so granted, especially when, as happens in most cases, they savour very much of the nature of monopolies. Most railways have—what was not anticipated when the railway system was first instituted—a monopoly of traffic, both as to goods and passengers. Their rates are fixed by Parliament, and I think it was intended to be stipulated that the service should be good. If the service, on the contrary, breaks down, it is time for Parliament to revise the terms. I think a strong *primâ facie* case has been made out to-night, not against all the Railway Companies, but against many of them, that the hours worked are so long as to be dangerous to the public, and that, at all events in extreme cases, there should be some limit to the powers of the companies to expose the public or the men themselves to the risk of accident by overstraining their servants. I think it will be sound policy in the case of these Public Companies to arm the Board of Trade with power to interfere.

*(7.26.) MR. LLEWELLYN (Somerset, N.): I have not the fortune to be a Director of any Railway Company, but for a great many years I have taken a great interest in this question. As a boy, in order to qualify myself for the work of an engineer, I served as fireman for a long time, and, in addition, I performed the still harder duties of a cleaner and a lighter. I certainly think that if the London and North Western and the Great Western Companies can manage to work its engine-men and signalmen for reasonable hours, other companies can do the same. The difficulty that is felt by Directors of Railway Companies in regard to overtime has not been very fairly put before the House. The men, I know very well, are willing at times to work overtime. We are dealing with an exceptionally intelligent and willing class of men, who are ready, knowing perfectly as they do the importance of the work they are engaged in, to do that work. But because Directors may say it is difficult to prevent men working, I say it is the duty of someone, whether Directors or others, to prevent the men working the extraordinary hours. The average hours, as shown by the Returns, are very excessive indeed, and the causes of those long hours are not exclusively accidents and breakdowns. It is well known to superintendents and others before a train starts whether the men employed on it will be at work an excessive number of hours or not. The case of the engine-driver who was sent to the seaside for a day is spoken of as being one of no great hardship. That may be so; but it is quite possible that the engine-driver did not want to be at the seaside, and that he wished to spend his leisure hours in doing other work at home. I want to ask the right hon. Gentleman the President of the Board of Trade what notice is taken by the Department of the Reports of Inspectors? Inspectors are called on from time to time to hold inquiries into accidents, many of which, no doubt, though not all, result from the over-working of officials. I should like to know how far the Department has taken action upon the Reports of its Inspectors in these cases. I know very well that the right hon. Gentleman keeps a watchful eye over his Department; but I should like to know what is the use of these costly inquiries if they do not lead to remedying of the evils so plainly put forward by the Inspectors. With regard to the number of hours, it is repeatedly said the men ask for overtime; but I doubt whether this is the case. I know it is on one, where the week consists of seven working days, the men being called upon to work on Sundays and receiving no extra pay for work on that day, because at the time of entering the service they agreed to seven days' work in the week. Though the subject is not always put forward in that way, really the demand of the men is less for an increase of pay than a reduction of hours. It is impossible for men to get away at the end of a normal day of 12½ hours. It may be said there is an allowance of time for meals, but it is often the case that men cannot get away for meals; a man may get half an hour from 9.30 to 10, and again an hour between 3 and 4. Over and over again men cannot get away for meals, because they have to wait for an overdue train. I hope hon. Members will not allow the matter to be prejudiced by the introduc-

tion of circumstances connected with the Scotch strike. I think it has been clearly shown that the grievance lies in the question of overtime—the men cannot get away to their homes. Whatever you pay a man, if you keep him at work from 6 in the morning until 7.30 in the evening, he cannot have the advantages other men enjoy—home-life, rest, or recreation; he sees little of his children; he cannot have the recreation afforded by clubs and reading-rooms if he works 13 or more hours a day. I sincerely hope the President of the Board of Trade may see his way to giving a reply that will be satisfactory to us. I think the terms of the Motion are sufficiently vague, if I may say so, sufficiently wide to admit of such an answer, though not for a moment conveying official support to the eight hours movement. Here is an exceptional case, and if a Department of State having sufficient powers does not exist, it ought to exist, for the regulation of this question, and I fully believe the Department over which the right hon. Gentleman presides could bring such pressure to bear upon Railway Directors that would put an end to the evils complained of.

(7.34.) MR. WADDY (Lincolnshire, Brigg): Much has been brought into this discussion with which this Motion has nothing to do. Serious as the strike in Scotland is, I do not see how it affects the question of excessive work which is imposed upon railway servants all over the Kingdom. I venture, for a few minutes, to recall the attention of hon. Members to the real point under discussion. We are not concerned with the exceptional position of men employed on certain branch lines, and what an hon. Gentleman said just now, in interesting detail, of the man who was able to enjoy a few hours at the seaside, and so on, is really not germane to the subject before us. A great deal of time, too, was, I venture to say, wasted by the right hon. Gentleman who defended the London and North Western Railway Company in telling us what alterations the company are making in their works, the arrangements for sidings, and so on. These matters have nothing to do with the question, which is simply whether or not men working on railways—guards, signalmen, firemen, drivers, and others—work excessively long hours, and are compelled by Railway Companies to do so. The facts, I maintain, have been established. As to the figures given, by which the right hon. Gentleman opposite brought out his interesting decimal calculations, nobody knows better than the right hon. Gentleman who read them from his prepared brief that they are utterly and entirely fallacious, because if you spread the amount of overwork over a number of men, some of whom did the work and some did not, you may bring down the individual percentage, but convey altogether a wrong impression. The figures, carefully prepared, as I have no doubt they were, have not the slightest bearing on the subject. This is not a question of overtime in the sense the word is constantly used. It may mean that you are getting from a man as regards his booked time a longer number of hours than he ought to give, part of which ought to be regarded as overtime, but which is not overtime, but regularly-demanded work. Then the term has been used in another fashion, extra work for which extra payment is made; and we have heard credit taken by Railway Companies for so many hours' work obtained beyond the long hours of regular service for which time and a half has been paid. The demand is that a man's work should be 10 hours gross; but you are working men 13 hours, and you do not call the three hours overtime, you call them part of the regular time, and then take credit because you work them another hour and a half, and pay as time and a half. We complain of both. It is unfair to the railway servant that his regular booked time is much too long, and then you allow him to work longer still, offering to the already tired man the inducement of extra pay. So you work a system which is injurious to the railway servants and dangerous to the public. Then we have had a learned dissertation on the law of supply and demand, which was wholly irrelevant. Unfortunately, we have at this moment more men seeking employment than there is employment to be had, and, as the result, the Railway Companies know that, though the terms they offer are harsh, they can get men to accept them, and do work we say they should not be allowed to undertake. The Railway Companies can get men who are not com petent for the work, and though the law of supply and demand may control these matters as between the employers and those men they employ, we maintain —and I do not think I need argue it at length—that as between the companies and their staff and the public, you must not allow the companies to imperil the safety and lives of Her Majesty's subjects because the laws of supply and demand allow the companies to get an article they ought not to get at a price they ought not to pay. Now, these men dare not speak out until they can do so in unison by means of such a strike as we now have in Scotland. I can show from a document—the name of the author I will not disclose except to the right hon. Gentleman the President of the Board of Trade, in whom I have perfect confidence — a letter sent to me as the result of an interview with certain men during my long vacation. I do not wish to give the slightest indication as to who the writer is, but I mention some of the facts referred to as describing not an exceptional state of things, as in the case of the man who had leisure for visits to the seaside, and so on. I take the record of work at three periods of the year, and not a time of exceptional pressure—in spring, summer, and winter. These entries are copied from the man's time book, which shows the exact hours of his work. There is a late and an early time for beginning work. I do not know the technical term used, and I take the entries over a fortnight as they come. The man began work at 8 in the morning, and these are the times he left work :—6 min. past 10; 20 min. past 10; 22 min. past 10; 4 min. past 10; and then comes an entry half-past 1 in the morning. Then comes a comparatively very short day in which, starting at 8.15, he finished at 9.20. But I find this is followed by days beginning at 6 in the morning, and finishing at 7.31, 7.27, and so on. Then, in the month of January, work commenced at 8 in the morning, and finished at 9.45 on three occasions, 9.52, and again at 5 min. past 2 in the morning; after which he was at it again at 8 o'clock, and finished at 7 min. past 9. Now I give entries for the spring season. Work began at 8 o'clock, and the times for knocking off work were: 10.7, 9.50, 1.0, 10.3, 11.32, 11.25, and 9.29. Now, I say deliberately this records a state of things nothing more nor less than scandalous. If anybody will take the trouble to reckon the hours of daily labour, he will find this man worked 14 h. 7 min., 13 h. 50 min., 14 hours, 14 h. 3 min., 15 h. 32 min., 15 h. 32 min., 15 h. 25 min., 13 h. 29 min., and so on. These are not exceptional times picked out for the purpose. I take the entries as they come. This is the way this poor man was worked, and his Sunday rest came once a fortnight. Every alternate Sunday he had to be at work usually from 8.15 a.m. to 9.15 p.m. This is a state of things which ought not to exist, and should not be allowed to exist. I have been waiting and expecting that long before this some occupant of the Treasury Bench would rise and tell us what the Government propose to do, not prefacing his speech by telling us he speaks not as a Member of the Government, but as a Railway Director. Willing as we are to listen to the right hon. Gentleman (Mr. Plunket) this is not what we want. We do not want to hear what the Directors can do, or think they ought to do, or are doing, to relieve the pressure of overwork. We know, as a matter of fact, from these Returns, and others I could mention, what has long been going on unchecked, and the men have no power of redressing their grievances, can bring no influence to bear to set matters right, except by a gigantic strike. It is exactly a question in which this House ought to intervene, first, for the protection of the men, and next, to protect the public from the mischief that must and does arise. If it is suggested that the men like this overtime, let me read what my correspondent says—

> "On the detached sheet you will find how we are worked, with little or no rest, and you will see that after finishing work there is on time left for recreation, for visiting friends, for attending meetings or places of worship, or anything else. We work every alternate Sunday, from 8.15 a.m. to 9.15 p.m., but it is generally 9.30 before we can get away."

I find it is not desirable to read the whole of the letter; it might indicate the spot from which it comes, and be prejudicial to the writer. He goes on to say—

> "We get a Sunday off every fortnight and are then too tired and worn-out to go anywhere. We have to be in bed half the day on our off Sunday to get rested for the next day."

This letter tells a tale, piteous and pathetic to the last degree. I do not want to go over the general question, which has been well argued. We have been told that long hours are exceptional and not the regular thing, and that there is a desire on the part of the men for overtime, and here I have given from this man's timebook the hours he has to work, and before he can count overtime he must, in the early period, work 13 hours—that is, from 6 a.m. to 7 p.m.; and in the late period from 8 a.m. to 9.45 p.m., or 13¾ hours. This is a state of things that demands our consideration, and we wait with some little curiosity and anxiety to know what is going to be said by the Government. I am confident the facts cannot be disputed, nor can I believe any attempt will be made by the right hon. Gentleman to get away from them. Are you going to give the remedy suggested by my hon. Friend the Member for Northamptonshire, or any remedy; or are you going to ride off on some technical objection to the exact words of the Resolution? Surely the time has come for indicating the course the Government propose to adopt, and Member after Member need not go on beating the air with arguments to which there is no reply.

(7.43.) MR. DE LISLE (Leicestershire, Mid): I speak as one who is generally favourable to the eight hours movement, but I cannot vote for the Resolution, because it has been fairly urged that that Resolution as framed contains a vote of censure upon the conduct of Railway Companies, who, so far as I know, manage their business with satisfaction to those they employ. Cases of hardship exist, but they are no greater than cases which exist in almost every organised system of production in the country. I have risen to express a hope that Her Majesty's Government will make some proposal to-night which will obviate the necessity of our voting either way. For the proposition as it stands I cannot vote. I have no interest in the management of any Railway Company, but I have considerable acquaintance with railway officials, and I know there is an universal feeling among them that the hours of labour are too long, and that overtime is worked in a way that is a great drawback to the comfort and domestic happiness we all desire the working classes should enjoy. The Resolution does not define what legislative powers the Board of Trade should acquire, and how a remedy should be applied; but if a Commission were appointed with full powers of inquiry into the whole of the subject, how far the State would be justified in regulating hours of labour, the result might give considerable satisfaction to the community. In no case should railway servants be away from their homes for more than 12 hours. It is a matter that requires no discussion that a man habitually away from home six days a week for 15 hours cannot lead a comfortable or even a humane life. We require an examination of the question, whether there should be some limitation of the hours of labour for persons engaged in what may be called dangerous, unhealthy, abnormal occupations, and where men work not as independent units, but as servants of a great organisation or institution. There is no question that in the case of railway servants accidents do sometimes occur through the undue strain placed upon men, but nobody is so unjust as to suppose that Railway Companies do not take every possible care to prevent the recurrence of an accident. I am sure nobody is more anxious to prevent accidents, nobody more interested in preventing them than Railway Directors. But the complaint is that the system under which they engage their men to work is radically wrong. The law of supply and demand does not apply for the regulation of this question. The old Tory theory of Protection—good or bad—was based on the idea that the State should protect the labour of the country, and under present circumstances, when throughout the country there are more men than labour can be found for, and the Railway Companies have too much labour for the men they employ, it may well form the subject of inquiry how far legislative action should compel the companies to employ more men at more rational hours. We may anticipate a distinct public gain from such an inquiry on public, moral, and social considerations. I hope we shall not have to vote upon this Motion at all, but that the Government will consent to an inquiry into the whole subject, including the eight hours question. It is sometimes assumed that hon. Members on the other side alone represent the interests of the labouring classes, though that is not the case; and certainly, as regards my own constituency, I have willingly pledged myself to do what I can to amend the conditions of life for the labouring classes. The inquiry I speak of would be a step in that direction. I have great sympathy with much that was said by the hon. Gentleman (Mr. Channing), who brought forward the Motion, but it was with great regret I heard him make use of the term "blackleg." Nothing is more unfortunate, nothing is more injurious to a good cause in controversies of this kind, than to affix an offensive nick-name to men who are doing simply what they have a perfect legal right to do. I hope that before long the Government will bring before us some practical measure, which will put an end to the cruel system by which men are practically compelled to work such hours that their health is bound to be impaired, and they cannot get the amount of recreation necessary to a comfortable and a civilised life. (8.2.)

*(8.30.) MR. MUNRO FERGUSON (Leith, &c.): The hon. Member for Northamptonshire must, I think, congratulate himself on the measure of support he has received from the opposite side of the House; for I think the House will have seen that if no one has yet actually promised to vote with him, pretty nearly every one who has spoken on the other side has shown no disposition to vote against him. The hon. Member for the East Grinstead Division of Sussex (Mr. A. Gathorne-Hardy) has spoken of object lessons; and I must say that the object lesson we have received from the right hon. Gentleman opposite (Mr. Plunket), in reference to the London and North Western Railway, is hardly so much to the point as the other object lesson put before us with regard to the North British Railway. Certainly, the London and North Western Railway constitutes a very important object lesson, as given in the speech of the right hon. Gentleman the First Commissioner of Works. If this Debate had been initiated for the purpose of drawing a modest statement from a model director as to a model railway, I for one should have taken no part whatever in it, nor even in the Division which seems likely to follow. But if the case of Scotland be set aside, as is done by the right hon. Gentleman, then I think one of the best arguments that can be used in support of this Resolution would fall to the ground. Now, what is the case in Scotland? The Railway Companies there do amongst them a very considerable business. I do not know whether it is so great as that carried on by the London and North Western Railway, but, nevertheless, it is on a large scale. Now, what do we find has taken place? We find that the whole trade of the country has been paralysed, simply and solely because no arrangement can be come to as to the terms on which the Directors on the one hand and the strikers on the other can meet. I believe that had it been possible to suggest some means of compromise in a manner that would have been acceptable to both sides, the dispute which has now lasted so long and caused so much inconvenience and disaster would not have gone on for more than a day or two. I think, therefore, that we cannot in discussing this question leave the situation in Scotland altogether out of sight. We cannot be placed behind the object lesson afforded by the London and North Western Railway Company, even although there may be a few holes in the mantle which the right hon. Gentleman has endeavoured to throw over that company. Exception has been taken to the terms of this Resolution, and especially with regard to that clause of it which says—

> "That, in the opinion of this House, the excessive hours of labour imposed on railway servants by the existing arrangements of the Railway Companies of the United Kingdom constitute a grave scandal on justice."

No, Sir. I maintain that those hours of labour are more or less imposed on all railway servants as may enter the service of the different companies under their contracts. Unfortunately, those railway servants are not represented before the Board of Directors, and consequently have no means of expressing their grievances to the Railway Boards through their recognised representatives. In view of this fact, I do not think the language of the Resolution is at all too strong when it says that those hours "are imposed" upon the men. For my part, were it not that I am speaking as a representative of the district in Scotland in which there has been most serious difficulty on account of this strike, I should certainly not support any Resolution of this character. I, for one, am very much opposed to any attempt to interfere with the hours of labour by legislation unless the circumstances are such as to render it absolutely desirable, and therefore I should not take part in a discussion of this kind unless a case had been clearly put before the House in which exceptional circumstances have been demonstrated. The case of the Scotch railways was brought before the House by the hon. Member for Edinburgh (Mr. Buchanan), and from that we find that in Scotland there has not been for some time past the means of maintaining safe railway communication. For more than a month railway travelling, not unattended with accidents, although neither of the accidents that have occurred have been of so serious a character as might have been anticipated, still, railway travelling in Scotland has not only been intermittent in service, but has also been accompanied by considerable danger. This is one of the reasons why we think there are some grounds for appealing to the President of the Board of Trade on this subject. Arbitration has been set aside in this dispute, and as it has been made impossible for any understanding to be arrived at we are bound to ask ourselves how long is this state of things to be allowed to continue without our trying to provide some machinery by which this unhappy deadlock may be ended. On the north of the Border there has been very considerable sympathy shown for the strikers, because of the circumstances under which these difficulties have arisen. They have not, perhaps, received that full measure of support which they might have obtained had it not been for the irregularity which occurred at the time of the origin of the strike. Serious exception has been taken to the movement because the strikers went out without notice, and it was felt to be quite impossible to conduct business unless the proper legal notices were observed. At the same time, there is some difference of opinion as to whether the contracts into which the men had entered were not of too severe a character. At any rate, for more than two years the men have been lodging complaints with regard to the hours of labour, and latterly the dispute became a question of the Union. The Directors refused to meet the representatives of the men because they were representatives of the Union. Now, it seems sufficiently obvious that if a state of affairs arises in which it is manifest that there can be no settlement of the dispute unless there are some means of forcing arbitration or some Government power which has power to intervene, then one or the other must be absolutely necessary. I should be sorry to see intervention by a Government Department until every other method had been tried, and had failed; but I think it was shown pretty clearly by the hon. Member for Edinburgh that in the case of this strike in Scotland everything has been done that could possibly be suggested in order to bring this dispute to an end. But all these endeavours have failed; and, therefore, I feel that, under the circumstances, I cannot refuse my support to the Motion of my hon. Friend the Member for Northamptonshire. The conduct on the part of the men on strike has, upon the whole, been marked throughout by orderly conduct and by a proper expression of their grievances. The public support given to the movement has been of a very wide and extensive character. Meetings of thousands and thousands of individuals have been held in every part of the country in support of the reasonable demands of the men; and I believe that there has seldom been known so general a support on the part of the community in a case of this kind as that which has been given to the strikers in Scotland. Now, the result of the strike, if it should go against the men, would be that there will be a greatly increased demand for interference in these disputes by legislative enactment. That, I think, the House will see is quite inevitable. Various leaders of the Socialist Party have been in Scotland, and they have done not a little in order to stimulate the strikers. They have done, I venture to say, good work there. I should be very sorry, for my part, to see that strike fail. If the strike fails we shall have a much wider demand for legislative interference brought before this House than is made in this Motion. If the strike is terminated with the victory of the Directors it will not be the end of this matter. It will come up again in a more awkward form than now. Exception has been taken to the use of the term "blackleg." I should be the last to say anything as to the use of this term which would tend to heat the argument. But what has become apparent in this strike is, that a battle is being fought as between what is called free labour and the labour of the Unions. If employers throughout the country are going to uphold the cause of free labour and denounce what they call the tyranny of the Unions, we have no end of trouble before us in questions of capital and labour. That is the difficulty which I foresee, and it is one which has been brought prominently forward by the Directors of the Railway Companies in Scotland. Therefore, I have no option but to support the Resolution, and to express the hope that the President of the Board of Trade may find some way of helping us out of the mess into which the Railway Boards of Scotland has landed us.

*(8.50.) Mr. J. G. BAIRD (Glasgow, Central): Sir, I have no reason to complain of the speech of my hon. Friend the Member for the Leith Burghs, and he has dealt with the question of the dispute in Scotland in a fair and reasonable manner. But for that dispute, I do not think I should have intervened in this Debate. But apart from the question affecting Scotland, and to come to the Motion before the House, the hon. Member for Northamptonshire, in moving it, at the outset said he did not desire any statutory limitations of the hours of labour. Well, I fail to see the difference between a statutory limitation and any limitation which the Board of Trade might be empowered to impose. It seems to me that the limit in one case is exactly the same as the limit in the other. The hon. Member wishes the Board of Trade to limit the hours of work for special classes of railway servants. The question will at once arise—what is to be the limit? Take the case of signalmen, which class is that upon which the safety of the public is supposed to depend more than upon any other. Are you to have an universal limit of hours for signalmen, or is each signal-box to be dealt with by the Board of Trade on its own merits, on the basis of the number of trains passing daily? A signalman at a great junction, or on a main line, of course has a great many more trains passing, and consequently has to be constantly in attendance; while a signalman on a branch line may sometimes have a considerable time between one train and the next, and, consequently his actual work may be much lighter. Is the Board of Trade to take into its hands the responsibility of laying down for each signal-box throughout the country what is to be the exact limit of hours of work? If it does, it will have a considerable amount of work to do. Again, take the case of engine drivers, another important class of railway servants. Suppose a day of 10 hours is fixed, is the engine driver on a run which occupies 12 hours, six hours one way and six hours back, to leave the engine two hours before he has completed the trip? That, of course, is out of the question. In the case of goods trains, which are often delayed in sidings, is the engine driver to cease working at the expiration of his 10 hours, no matter where he may be at the time? The fact is that the necessity for overtime cannot be obviated. You cannot fix an absolute limit to the hours of certain classes of railway servants. You may fix a limit of time beyond which overtime has to be paid for in wages; but then you come to a question of remuneration, which ought to be left to be settled by the companies and their servants. There is another point which the hon. Member seems to forget, although I do not think it a very important one. Does the hon. Member suppose that during the long hours which he mentions as being a danger, the men employed are being worked the whole time? He must know that goods trains and others are constantly detained in sidings for a considerable time to allow of the other traffic being worked. Will he explain how this is to be altered? I am sure the Directors and others who have to do with railways deplore the long hours as much as any hon. Member can do. If the Railway Directors had more funds at their disposal, they would be able to employ more men and increase the number of engines. The Railway Directors have to consider the interest of the public, of the shareholders, and of their *employés.* I daresay a considerable number of the more wealthy shareholders would not object to a

diminished dividend; but the small holders would not like a reduction of their scanty profits. The fact is, it comes really to be a question of wages in connection with the dispute between the men and their employers. Where is the extra wages fund to come from? The dividends are not extravagant, and though some of the shareholders might, as I have said, be inclined to submit to a reduction in order that the men might have better wages, many poor people who hold a few shares in railways would feel the reduction of even 1 per cent. as a sensible reduction of their already scanty income. Then, again, the public agitate constantly for a reduction of rates and fares, and are moving the Board of Trade in that direction. You cannot eat your cake and have your cake, and you cannot reduce the revenue at the command of Railway Companies, and at the same time largely increase the working expenses. I am sure that Directors would be only too glad to reduce time and increase wages; but they have to consider the public, who ask for increased facilities involving large capital expenditure, and at the same time to satisfy the demands of the shareholders, who ask that their dividends at least shall not be reduced. It has been disputed that the men are seeking for shorter hours, and that they are really demanding more wages. I do not doubt that there are men who desire shorter hours; but, at the same time, I believe some of them desire to be paid more for their overtime. On Wednesday last Mr. John Wilson, Miners' Agent, Broxburn, speaking at Edinburgh, is reported to have told a deputation from Glasgow—

> "That to concede to the men 10 hours a day and to still give them 12 hours' pay would require an enormous sum of money. They all admitted that it would require some money, and they meant that. There was no use disguising that point. In this strike, and in all other strikes for more wages and more liberty, they were waging a just warfare."

So that at the bottom of the whole dispute lies the question of wages. They are asking for 60 hours a week and overtime at time and a half. With reference to the strike, I do not know whether hon. Members are aware that a telegram has been received to say that it has been settled on the basis of a proposal made by Lord Aberdeen. That information has come by telegraph, and I do not know that it has yet been verified. I hope such is the case. I do not care to go much into the subject of the strike, lest I should embitter the feeling of the men who have been induced to return to their work. Still, I must traverse one or two of the remarks of hon. Members opposite, with regard to public opinion in Scotland. It has been said that the opinion of Scotland is on the side of the men. I traverse that statement. I affirm, as I have the right to affirm, that public opinion in Scotland is just as much in favour of the companies as it is in favour of the men. The hon. Member for Mid Durham (Mr. John Wilson) said there is no doubt the public will not object to an increase of fares and an increase of railway rates. I do not think the hon. Member for Mid Durham knows the public of Scotland. He evidently is not aware of the persistent endeavours which are being made, not only by traders, but by those who use the lines as passengers, to get facilities in every shape and form —facilities which go to increase the capital expenditure of those railways, and consequently decrease the funds available for increase of stock, the number of locomotive engines, and any increase which might be desired in wages. Sir, I do not think that the Board of Trade would be well advised to accept the Motion of the hon. Member for Northamptonshire; but if the President of the Board of Trade thinks it right and proper that a Committee should be appointed to consider the whole question of these Returns, and see how far they are brought about by circumstances that may be altered, I, for my part, have no objection to offer.

*(9.2.) MR. A. C. MORTON (Peterborough): Representing, as I do, a constituency largely composed of railway men, I desire to express my surprise that the Government have not long ere this announced their intention of accepting this Resolution; and I also desire to express my surprise that a Member of the Government, and therefore a paid servant of the country, should have got up and made a speech, not as representing any constituency, but as a Director of a Railway Company. I confess I think it would have been better if he had allowed other directors in the House to take care of the com-

panies. We have been told that this is a vote of censure on the Railway Companies. I cannot see that at all. It may be, and probably very properly will be, a vote of censure on a company which is not doing what is right with regard to the people of this country. If there are any Railway Companies that are doing what is right and proper both towards their men and towards the public, then this cannot be a vote of censure upon them; but if there are companies which are not doing what is right, and I am afraid there are a good many companies in that category, perhaps it is very properly a censure upon these companies. Surely we have a right here to censure companies. These companies get the right to carry on their business, which is a monopoly, from this House, and therefore from the country, and surely if they are not carrying on their business properly, and nobody can truly say they are doing so at the present moment, we have a right to consider the whole matter in the interest of the country. In that sense all reforms that are brought forward in this House are votes of censure, because to some extent they reflect upon the conduct of somebody. Are we to be prevented in the future from making any reforms in this country because it may be alleged it is a vote of censure upon somebody? I hope that opinion will not prevail. The Resolution has nothing to do with the settling of strikes; but if the idea of this Resolution could be properly carried out it would do something better, it would probably prevent strikes altogether, and that surely is a matter worthy of consideration. I hope this Scotch strike has been settled on terms fair to the men, and bearing in mind the great loss which the strike has occasioned to all classes of people, especially in Scotland, to my mind this is a proper time to consider whether, by legislation or otherwise, we cannot do something to prevent these strikes. That I take to be the actual meaning of this Resolution. The hon. Member who last spoke seems to think this is a proposal to interfere with and limit these companies in some way. I do not read the Resolution that way at all. It is to empower a Public Department to interfere if necessary, and, therefore, not unnecessarily interfere with the business of these companies. The Resolution says the Board of Trade shall interfere if they think it necessary on behalf of the people of this country and the workmen on the railways. I think this is a very proper interference, because these companies have the power to do their business from this House. This would not be the first time this Parliament has interfered with the trade of the country. We have interfered with the grocer and milkman, and that trade sacred to the Tory Party—the liquor trade—therefore, why do we not interfere, if necessary, in the interests of the country, with the Railway Companies, who derive what power they have from the people through their representatives in the House? If necessary, we ought to do so. I understand this Resolution to be an appeal to this House, not in a mere Party political sense, but as representing the whole of the country to do justice to an excellent body of workmen. I am sure nobody can deny that the railway servants of this country are an excellent body of workmen, a body whom any country might be proud of, and whom this House ought to be only too glad to protect if necessary; the Resolution goes further because an appeal is also made for the safety and protection of the travelling public. I am sure it is necessary. Take the case of accidents which have occurred recently. There was the accident near Taunton on the Great Western line, an accident which occurred entirely through the gross neglect of the Company in not having a proper servant to do the work —to look after the signal boxes—and also in failing apparently to provide proper sidings. If by this interference we could prevent such a dreadful accident as that, surely we should be doing right. I am afraid that the railway men are not so well represented in this House as the directors of railway companies, who, we were told just now, have a representation here of nearly 250. But I trust that this House will say the time has arrived when the workmen as well as the travelling public shall be protected. I am sorry that, although the Railway Companies are so well represented in this House, they themselves should object to the workmen being represented anywhere else. It certainly has appeared to me from what I have read, that this Scotch strike would probably never have occurred but for the fact that the directors objected to receive the representatives of the men, so as to hear what they had to say. I cannot see why the railway directors should have objected to receive Mr. Tait, who represented the men, any more than they should have the right to have the assistance of solicitors or others to assist them. If the men choose out of their own funds—mind not out of the railway funds—to pay a man to represent them before the directors or elsewhere, surely there ought to be no objection to that, especially when that man is a man selected on account of his knowledge of railway matters. We were told by an hon. Member, who spoke to-night on behalf of the Railway Companies, that there was no danger of any harm arising, because it would be against the interests of the Railway Companies. As a matter of fact, the Railway Companies have not been so particular about their interests. It is not so many years ago that third-class travellers were treated very badly by the companies. Nobody at that time could make the directors understand it was to their own interests to look after that class of the travelling public. Now they are finding out, after many years experience, that it is to their best interests to look after the third-class passengers, who pay the dividends and the expenses. There are many other ways in which it might be pointed out Railway Companies do not consider their best interests. The hon. Gentleman the Member for Glasgow (Mr. Baird) spoke about the Scottish people requiring increased facilities with regard to the traffic, as well as in regard to passengers, and he seemed to think that such increased facilities would reduce dividends by creating greater expenses. All experience has shown that the more facilities Railway Companies give to the public, the more profit they make, and therefore there is no proof that in giving facilities to the public, there is any harm to the Railway Companies whatever. If you cannot do justice to the workmen or to the travelling public without reducing the dividends, in my opinion, the dividends must be reduced. There is no question at all in my mind that the time is rapidly arriving when the working men of this country will demand, and properly demand, a larger share of the good things of this world; and if those who have received perhaps too large a share of them in the past have to give up, not the necessaries of this life at all, but a few of the luxuries, I shall be only too glad. I only intervene to-night because I represent a constituency in which there are a large body of extremely respectable men connected with the railways, and because I thought the Government might have given way on this question without the necessity of a five hours debate. I trust the Government will now, not as a party matter at all, but in the interests of the people generally and the trade of the country, see their way to consent to something like this Resolution. It is all very well to propose a Commission, but generally such a proposal means getting rid of the matter altogether. You may depend upon it if the Government, if the Railway Directors in this House, are strong enough at the present moment to put this matter off, there is coming a time and probably very shortly, when they will have to do more for these people than they will be satisfied with at the present moment. My experience of working men in this country is that if you are willing to treat them fairly they will not require to be extravagantly dealt with, but if in good times you refuse to do the little which is necessary to enable them to live with some little regard to the comforts and decencies of life, then you may expect a time bye-and-bye when they will not only demand, but will have the power to compel you to give them a great deal more than they require at the present moment. I do therefore trust that the Government and the House will see their way to grant this demand. We do not wish to take anything from the companies, we simply wish to empower the Board of Trade to enquire into these matters, and if necessary do justice, not only to the workmen but to the people of the country generally.

(9.15.) SIR STAFFORD NORTHCOTE (Exeter): I merely rise to express the hope that when my right hon. Friend the President of the Board of Trade rises he may be able to make some proposition on behalf of the Government which will spare the House the necessity of going to a division. I must frankly say that if my right hon. Friend were to meet the Motion of the hon. Member for Northampton with anything like a *non possumus*, although I am a tolerably staunch Ministerialist I could not support the Government. Perhaps my title to speak is somewhat different from that of most of those who have addressed the House from these benches, because I have not the smallest pecuniary interest in any railway in this kingdom. Therefore I do not speak from the point of view of my right hon. Friend the First Commissioner of Works or of some other hon. Gentlemen who have spoken from this side of the House. The reason why I trust it may be possible to avoid a Division is this: The main point which struck me in the speech of the hon. Member for Northamptonshire was the suggestion, which was, I think, very acceptable upon that side of the House, that disputes of this kind should, if possible, be settled by some conciliatory means. What I would submit to the hon. Member for Northamptonshire, if he were in his place, is that if he presses his Motion at the present time to a Division it would be a very unfortunate preliminary to the establishment of such a conciliatory Board as he contemplates. If he were to carry his Motion, the Railway Companies, one and all, would feel that they were stigmatised as companies who treated their workmen harshly, whereas, although he spoke with certain vagueness, the hon. Member for Peterborough (Mr. Morton) thought that some companies were guilty and others innocent. I think the passing of this Resolution would be felt by the companies as fixing a stigma upon them, and therefore render them singularly unwilling to co-operate with the Government in the establishment of a Board of Conciliation. On the other hand, if the hon. Member presses his Motion, and it is defeated, the *employés* of the Companies would consider that Parliament was going into the establishment of a Board of Conciliation after pre-judging their case, and pre-judging it adversely to them. Therefore, if the President of the Board of Trade sees his way to propose the appointment of a Commission or Committee, or to make some suggestion which will in no way impugn the principle of the hon. Gentleman's Motion, in so far as that Motion requires that the grievances of the workmen shall be fully inquired into, I hope the hon. Gentleman will not insist upon pressing the matter to a Division.

(9.23.) MR. PHILIPPS (Lanark, Mid): The hon. Member for the Central Division of Glasgow (Mr. Baird) said that public opinion in Scotland is universally against the railway servants in their strike. I have just returned from Scotland, and before doing so I took the trouble to find out what the public opinion of Scotland was. There are some persons who sympathise with the Railway Companies, or, at least whose sympathies are against the strikers; but so far as I can learn these persons are merely the large employers of labour, who feel very jealous of working men's unions, and want to see them defeated every time there is a strike. Outside the class of big employers of labour I think the fraction of the Scottish people which is not in favour of the strikers is very small indeed, and I should say you get a very small fraction of that fraction who have a good word to say for the behaviour of the North British Railway Company. The hon. Member also said that if concessions are made to the men, it must necessarily follow that the dividends of the shareholders will be reduced. That is possibly the case, but at any rate that is not an argument that ought to weigh with this House. Railways are monopolies. People who promote railways, who buy up the interests of former investors, must take the evil with the good. They contract to carry the public and the goods of the public from one point to another. They have had a monopoly given to them because they have contracted. They have contracted to carry passengers and goods continuously, and to say that they are losers in certain events is not an argument that ought to have any weight with the House of Commons. Some hon. Members have said we ought not to make allusions to the very unfortunate railway strike in Scotland. I can hardly agree with that. The latter portion of the Motion proposes to give power to the Board of Trade to limit the hours of work of railway servants in certain cases, and I maintain that the present strike affords a most excellent illustration of the need of the Board of Trade having some such power conferred upon it. I speak on this occasion as the representative of a part of Lanarkshire that is especially affected by the strike, and I contend that the inconvenience caused to the public in my district is such as can hardly be exaggerated. Earlier in the evening an hon. Member on this side spoke of the extreme distress that had been caused in some of the districts by the strike, and I noticed one or two hon. Members laughed. They evidently thought the hon. Member exaggerated, but he did not do so. In my own district there are several of the great steel works of Scotland. Those works employ many hundreds of people; but in consequence of the strike they have been closed for four weeks. The *employés* are suffering very great hardships because a Board of Scotch Directors have had a quarrel with their *employés*. Coal cannot be carried from one place to another, and many of the mines are not being worked at all. Other mines are only being worked one, two, or three days a week. The distress amongst the mining population is really very acute indeed. But it is getting beyond the labouring men. Small shopkeepers in the mining villages and towns have told me how very grievously the strike has affected their trade. They laid in stores for the beginning of the new year, but they have found their trade almost entirely paralysed. I maintain that the distress in the industrial districts of Scotland can hardly be exaggerated. When it is in the power of a few gentlemen from no motive whatever to paralyse the trade of a great part of a country, it is high time, in the interest of the public, that some authority—and the Board of Trade is the most convenient authority—had some power given to it to interfere. Judging from the newspaper accounts one would believe that the strike is a much more partial affair than it is. Every day the newspapers have announced that the traffic was steadily improving. Nearly all the English newspapers have indulged in systematic misstatement for nearly five weeks. I am not in a position to know, but I have a very great doubt as to whether even the Returns published by the Railway Companies of their week's traffic are wholly to be relied upon. I have seen very few mineral trains running, and I suspect that the Railway Companies have included in their week's receipts receipts for goods which they have not yet been able to deliver. The right hon. Gentleman the First Commissioner of Works thinks this Resolution is intended to stir up discord. I do not think anyone who has been to Scotland and seen how far-reaching the effect of this strike is, would regard any attempt to end this strike and avert subsequent strikes, as an attempt to stir up discord. There is only one thing more I wish to do, and that is to ask the President of the Board of Trade whether enquiries have been held or are going to be held into the accidents that have happened on Scotch railways during the last five weeks. Every morning the Scotch newspapers have contained circumstantial accounts of accidents here and there. Only one has been attended by loss of life, but there has been several very serious accidents. I hope the President of the Board of Trade will tell us that the Board of Trade have inquired into all such accidents, and that it has not turned its blind eye to Scotland just now to make matters easier for the Railway Companies in their difficulties. I have felt obliged to make these observations because I believe it is only through the authority of Parliament or some body delegated by Parliament that a great calamity like the present strike can be averted in the future.

*(9.30.) COLONEL HUGHES (Woolwich): Hon. Gentlemen opposite have taken credit for the fact that the terms of the Resolution appeared on the Notice Paper of the House before the strike on the Scottish Railways began, but I should have been glad if the circumstances of the strike had been excluded from the present discussion, because they have a rather disturbing influence upon our consideration of the proposal for the establishment of a Board of Arbitration. It leads to confusion to have to discuss in one debate the question of such a Board being instituted and the merits of this particular dispute, whether the men had a right to leave

their employment without notice, and the other points involved which have no relation to the Motion now before the House. In regard to the Motion itself as it is worded, I have no difficulty upon public grounds in supporting it, but if I am supposed to sanction any opinion upon the strike itself, I should require a large amount of time to state my views and explain my position. With regard to the Board of Trade having some control over the length of hours on railway employment, I have no doubt as to the expediency of some such intervention, for when I look at the results of inquests and inquiries into the causes of railway accidents, I generally find that the man to whom blame is attached seeks shelter in an excuse that he was overworked. From the regularity with which this plea is advanced, and from the remarks Inspectors of the Board of Trade have made, it is evident that something in the direction indicated should be done. An accident near Taunton, and the evidence showing how long a signalman there had been on duty is a recent instance proving that in the public interest some regulation is required. Having found one sufficient reason, I do not know that it is necessary that I should seek for others; but, at the same time, if the Government say that this is a large question, and before taking action they require further inquiry as to how the control is to be exercised, how regulations should be framed, whether they should also apply to steamboats, omnibuses, and other forms of public conveyance, I should be quite satisfied with that assurance, as expressing an intention to deal with the subject. I shall therefore vote for the Motion, unless the Government offer to find a better remedy.

(9.36.) Mr. BIRRELL (Fife, West): I think I may assure the hon. and gallant Gentleman that by his vote he will in no way commit himself to an expression of opinion upon the strike in Scotland, which during the last four or five weeks has occupied public attention. At the same time, I do not think he can be surprised that Scottish Members should see in that lamentable conflict very good reasons for inducing men like himself to support this Motion. Like my hon. Friend who spoke just now, I represent a constituency of which I suppose I can say with safety it has suffered more in trade and general discomfort during the last five weeks in consequence of this lamentable dispute than if Great Britain had been engaged in a war with France or Germany; and when we find this dispute arises from the excessive hours of labour to which the servants of a public undertaking are subjected, and when we find this Motion is based on official evidence of these excessive hours of labour, then, putting the two things together, it is impossible for Scottish Members to keep this strike out of their minds and arguments. I confess I am rather surprised at the modesty of the Board of Trade. It it usual for most Boards to magnify the importance of their functions, and they consider it their duty, like a good Judge, to amplify their jurisdiction. But what a futile and absurd position for the Board to take up! Here we have the Returns compiled by the officials of the Board, showing the extent of this excessive labour, and we have Reports from skilled Inspectors showing the frequency of accidents and the lamentable loss of life resulting from this overwork system. These Reports are laid before us under the authority of the Department over which the right hon. Gentleman presides, and I should have thought he would have been glad to avail himself of the opportunity of giving effect to the recommendations of his own Inspectors. Are we to suppose that these Reports are mere academic exercises for the amusement of hon. Members or to harrow our feelings? I should have thought they were intended to lead to action. What is the good of sending Major Marindin, Colonel Hutchinson, and others, to inquire and report, trace home the causes, and place the results before us? The Department says, "We can get the information, but we do not know what to do with it." I should have thought a Minister of the Crown would have been glad to have the means of remedy placed in his hands. It has been said by Railway Directors and others that it would be impossible to fix any number of hours as a limit of service in certain cases, and that may or may not be the case; but, at any rate, there must be something in the system requiring change when Inspectors all agree that the hours are excessive and improper. There is no difference of opinion among the officers who make the inquiries, and all we ask is that power should be given to the Board of Trade to prevent its documents becoming little more than waste paper. Some suggestion seems to be made from the other side of the House that further inquiry is essential in this matter. Now, I must say I think the House has already possession of sufficient information. These Reports are not disputed; these Returns are not disputed. What more do we want? We have the information, and I hope we shall have the courage to act upon it. The First Commissioner of Works (Mr. Plunket) was angry at the use of the word "imposed," and he made use of the familiar argument that in this free country no workman is obliged to accept any particular conditions of labour unless he likes. I wish it were so. I cannot hear the statement without giving it a flat denial. The poor man must work, or starve, or eat the bread of dependence, which is the worst alternative. If he works he must accept the conditions upon which he can get that work, and it is the duty of the State to see that these conditions are compatible with decent human existence. On that part of the question I do not see any difficulty. Men are obliged to work on the terms offered. No doubt in some trades they can protect themselves. In mining, for instance, when employers are anxious to limit the output, it is not so difficult to come to an agreement as to hours of labour; but when employers are anxious to increase the amount of work I do not believe there is an organisation in any trade sufficient to protect itself against the greed of the capitalist or the brutality of a Joint Stock Company. We have had a Director of the North British Railway making observations which led me to suppose that he would be glad to support the Motion, but he finds himself as a Director in an awkward position. If he does not pay a dividend his shareholders are angry, if his rates are high he offends the public. Between the two he finds himself, honest man, in a difficult position. Well, I should have thought he would have been glad to have transferred some part of his responsibility to the broad shoulders of the President of the Board of Trade, that he would be glad to find that shelter which a trustee seeks from a troublesome heir, saying, "I would be glad to comply with your wishes, but the law will not allow me to do so." In like manner I should have thought a Director would have been glad to say, "We would get more work out of our servants, but we cannot under Board of Trade regulations."

*(9.41.) MR. BAUMANN (Camberwell, Peckham): I quite agree with the hon. Member who has just spoken that there is no necessity for further inquiry. The hon. Member for Salford (Mr. Howorth) suggested at an earlier period of the Debate that the Government should appoint a Royal Commission or a Committee to make inquiries; but I should like to know into what would a Commission or Committee inquire? The facts about the length of hours are before the House and the country; they are published in the Official Returns of the Board of Trade, and if that Department requires more facts it has ample opportunity of acquiring them without further intervention by the House. I am afraid that this Commission or Committee is nothing more or less than a convenient shelter, which is run to by those who are afraid of affirming the principle which underlies this Motion. What is that principle? That the machinery of the Board of Trade should be set in motion to limit the hours of labour for railway servants. That is a principle in which I cordially concur. I am not afraid of supporting that opinion by my vote, and I shall not be deterred by the promise of inquiry from going into the Lobby in support of this Motion. It seems to me the Returns published are little creditable to the great Railway Companies of England. Honourable mention has been made of the South-Western Company, which, with the exception of a very small percentage of guards on goods trains, does not work any of its servants for more than 12 hours daily. But if we make honourable mention of one company, we must make dishonourable mention of another company. The South Eastern Company has achieved the infamous distinction of having in 1889 employed 100 per cent. of its drivers and firemen for over 12 hours daily.

An hon. MEMBER: What—all?

MR. BAUMANN: That is the point. From another Return, it appears that the South Eastern is one of the most unpunctual as well as the most inhuman of the Railway Companies in England. I do not think I need spend much time at this hour in establishing the position that the State, as represented by the Board of Trade, is justified in intervening between Railway Companies and their *employés.* Railway Companies are the spoiled children of the Legislature. They come Session after Session for powers and privileges, which, so far as I know, Parliament has never denied them; and I think we, who represent the people who give the companies these large powers, are perfectly justified in exacting in return a stipulation that they shall work their servants under reasonably humane conditions. I know there is a very strong feeling against the Motion, on the ground that it is interference with the freedom of adult labour—and it is no use blinking the fact that it is an interference with adult labour—and that is said to be Socialism of the most dreadful description. Well, I have never heard that Lord Macaulay was a Socialist; but in supporting the "Ten Hours Bill," in 1846, he used these words—

> "I hold that where public health is concerned, and where public morality is concerned, the State may be justified in regulating even the contracts of adults."

Now, upon this question of interference with adult labour, we hear very extraordinary arguments from all quarters of the House. I hear a great many hon. Gentlemen say, "I am perfectly willing to interfere for the purpose of restricting the labour of railway *employés*, not for the sake of benefit to the *employés*, but for the safety of the public. We have not a word or shred of sympathy for the unfortunate men who are being injured every day—and the injury they will feel to the end of their lives—by overwork, though there is an overflow of sentiment for the luxurious travelling public, who once in a "blue moon" may be injured in an accident arising from this overwork. I am in favour of limiting the labour of railway servants for their own sake. We are told that intervention is justifiable for the benefit of the public; well, I should like to know whether these hundreds of thousands of railway servants are not also members of the public? They are, and a very deserving section of the public. I say that, though in my own constituency there is no considerable number of railway servants. But hon. Gentlemen who take up this prudish attitude about interference with adult labour appear to forget that adult male labour has already been regulated by the State under two very important Statutes, the "Lord's Day Observance" Act and the "Bank Holidays" Act. There are hundreds of thousands of people who would be only too glad to work on Sundays and Bank Holidays. You have regulated days of labour; why should you not regulate hours of labour? I maintain that the principle of legislative interference with adult male labour has already been affirmed by the Acts I have mentioned. We have ample precedents for such legislation in the United States. Adult male labour is restricted in the State of New York on elevated railways and tramcars to 10 hours daily, and it is a misdemeanour for a company to exact more from a servant. In the State of New Jersey there is a 12 hours day; for the same class of *employés* in the State of Maine, 10 hours; there is a restriction in Rhode Island, Connecticut, and in Maryland, where there is a 10 hours day in the State tobacco warehouses, and on street cars and elevated railways a limitation to 12 hours, every breach of the law being a misdemeanour, for which a company is liable to a fine of 100 dollars. In Pennsylvania, Indiana, Michigan, and California there is an eight hours day, though the time may be exceeded by private contract. But in California, in all State and Municipal contracts, there must be a clause to the effect that the servants of a Public Body are not to work more than eight hours a day. It may be that the law in California is evaded—that may be so or not; my argument is, that these are examples of legislative interference with hours of adult male labour, and there are precedents for discussing the principle which underlies the Motion of the hon. Member for Northamptonshire, that the intervention of the Board of Trade should be invoked to limit the excessive hours of labour imposed on railway servants. If the hon. Member carries his Motion to a Division I shall have great pleasure in following him into the Lobby.

*(9.51.) MR. PROVAND (Glasgow, Blackfriars, &c.): It is gratifying to know that we are to have the assistance of many hon. Members opposite who are usually not in the Lobby with us. But I am surprised that there are not more of them. There appears to be a fear of the terms of the Motion, although the terms are so wide and open that it is perfectly clear that voting for the Motion will not commit any hon. Member to an "Eight Hours" Bill or any other Bill. All that the Motion proposes to do is to give the Board of Trade a discretionary power of regulating the hours of work of the railway servants where they may think that the hours of labour are excessive. That may not include all railways, and therefore cannot be said to cast a stigma upon Railway Companies generally. The Board of Trade possessing the powers will only issue orders where such are necessary. No doubt the Board would issue orders to the South-Eastern Company, and it is tolerably certain they would not issue any orders to the South-Western Company. I think it must be clear to the House that undoubtedly a case has been made out for legislative interference in reference to the work of railway men, and the only question that remains is the direction such interference should take. The Board of Trade would not define a certain number of hours to be worked daily by every man in the employment of a Railway Company, because, as we all know a hard-and-fast line of that kind would be unworkable. But it would not be unworkable to lay down a rule limiting the number of hours of regular and overtime work a man should be required to perform in a week or a fortnight. That would not be unworkable, and therefore the scope which is permitted under this Motion is so wide, that I am surprised any hon. Member should think it interferes with any principle he imagines is adhered to by the House of Commons as to fixing the hours of adult male labour. There are many reasons why the Legislature should interfere in a case of this kind. In the first place, a strike of railway servants is not an ordinary strike of workmen against their employers, it is a strike against the community, and that is what it has been in Scotland. Perhaps the Railway Companies, if the strike should terminate now, would lose say, £200,000 in traffic and other ways, but that is not a tenth part of the loss the community has suffered by the strike. In Lanarkshire the men, in many trades, are reduced to idleness by the strike. There is a single factory where 5,000 men are rendered idle by the strike, as many, perhaps, as the number of railway men on strike. In the print works in the Vale of Leven there were at one time 6,000 men in enforced idleness in consequence of the strike. The loss to the community, directly and indirectly, has been enormous. Probably this loss has affected two or three million of inhabitants in a greater or lesser degree; but the loss is spread so widely that it is impossible to make a computation as to what that loss has amounted to. Another reason for interference is the interest in public safety. I think the hon. Member for South Salford (Mr. Howorth) spoke of the Legislature never having interfered in the question of individual labour; but that is a mistake. This House has interfered many times when the health of persons has been in danger. There are many instances of Acts interfering with the conditions of adult male labour, and this Motion will, if carried, be simply carrying out the same principle in relation to railways which has been carried out in other branches of employment in the country. Such intervention is even more necessary in reference to railways, because of the character of the work railway servants have to do, at least those of them who have to do with the train service. They are onerous duties, they require all a man's attention, there must be no carelessness, and he must be as competent to discharge his duty in the last hour of his day's work as when he began his day's work. There is another reason why the Legislature should interfere, that the men need to be protected against themselves. We have heard to-night of a man who, at the end of 12 hours work, undertook another shift of 12 hours out of kindness to a fellow-workman; and, on the other hand, there is no doubt that a large number of men, for the sake of the extra money they earn, will undertake almost any amount of overtime, and against men who undertake more than they are capable of the travelling public must be protected, and

the only way to do that is to apply compulsory powers — powers which the Board of Trade ought to take to prevent Railway Companies employing men beyond a certain number of hours consecutively. Major Marindin, in a Report on a fatal railway accident, said that these accidents would occur until the companies were compelled not to employ drivers and stokers more than a reasonable number of hours. There are many reasons, besides those I have named, why the State should intervene in a question of this kind. It has been suggested that in this Debate we ought not to refer to the strike now going on in Scotland; but I say that had the opportunity not been taken to dwell on the lessons we have learned from that strike, the discussion would have been a very partial and one-sided one. The right hon. Gentleman the Member for Dublin University, and likewise, I believe, the Member for Reading, told the House that the Railway Companies were very much against overtime; that it was very costly, and that as much as possible they prevented it. One speaker suggested that all the extra hours mentioned in the Report were overtime. But that is not so, for many cases are mere irregularities. The system prevailing on the Scotch Railways is a 12 hours day, with a fortnight unit, so that a man must work at least 144 hours in a fortnight, and until he does that he gets no overtime. If he has a day off he must make up the time on other days. Now, the mechanics employed by the Railway Companies to build their locomotives only work nine hours a day, while the men who drive the engines sometimes work 18 hours a day and longer. There have been cases in which men have been on a locomotive for 23 hours, and I heard of one case in Glasgow where two men were on an engine for 28 hours. Now, the right hon. Gentleman the Member for Dublin University gave us a very interesting account of the London and North Western system. No doubt there are some good railways and some bad ones. I submit that the particulars we have show that the strike in Scotland was caused by overwork. In that respect the London and North Western Railway Company were themselves very bad at one time. In the returns to this House for January, 1887, there were given 1,204 cases in which drivers and stokers had been at work for 17 hours. In the return for March last there were only 56 such cases. Again, in the return for January, 1887, there were given 562 cases in which drivers and stokers had been on locomotives for 18 or more hours consecutively, whereas in the return for last March there were only 5 such cases. That shows what a company can do. We have been told that these cases of excessive hours have arisen from unforeseen circumstances that could not be controlled. But is the House to understand that while in January, 1887, there were 1,204 cases beyond control, last March there were only 56? Does the right hon. Gentleman the Member for Dublin University mean to say that all these cases arose from causes which the company could not control? Nothing of the kind. They could have been prevented in January, 1887, just as easily as they were in March, 1890. They were due to bad management in 1887, and are now fewer in number because the line is better managed. Now, as to the Scotch companies—the Caledonian and the North British. The Returns are very interesting, and show that the plea of unforeseen circumstances cannot apply to them. In January, 1887, the Caledonian had 9,912 cases where goods guards were employed for more than 13 hours consecutively. Last March the number had been reduced to 500. In January, 1887, there were 364 cases of goods guards working 14 hours; last March there were only 113. In January, 1887, in 23 cases men worked 16 hours; last March there were only 10 such cases. Thus there was a general improvement. But let us examine the figures relating to the North British Railway. This strike in Scotland has been entirely brought about by the shameful treatment of the *employés* on the North British Railway. I may mention at once that in every case the figures for last March are worse than those for January, 1887. In the last-named month there were 107 cases in which guards worked 18 hours and over consecutively. In March last there were no fewer than 245 such cases. How about the doctrine of unforeseen circumstances. Does it apply to this case? The simple explanation is that the railway is undermanned. In January, 1887, there were 724 cases in which drivers and stokers had been employed for 18 hours or more. If this line had been like the Caledonian and London and North-Western Railway, if the management had improved the figures would have been reduced; but as a matter of fact there were 1,016 such cases last March. Therefore, although we have been told that overtime in nearly every case is the result of unforeseen circumstances, yet the House can now see that the real cause is very different indeed. These figures illustrate the necessity for legislative interference in these cases, for remember that although these figures have been for months in the possession and knowledge of the directors of the North British, they have done nothing to remedy the grievance, and thus have brought about the strike. We know that the directors and managers have refused to treat with the men unless they return to their work unconditionally, and trust to their sense of justice; but what sense of justice can there be in managers and directors who allow such a state of things to prevail? I believe the strike might have been avoided if the Board of Trade had issued its mandate to the company to improve its management. The hon. Member for Central Glasgow referred to the question of dividends, but I am sure the House will agree with me when I say that dividends have nothing whatever to do with this question. If a Railway Company never paid a dividend at all it should be as liable to treat its *employés* fairly and equitably, as is the company which pays the highest dividend. I hope, at any rate, this Debate will induce the Government to accept the proposal before the House, and that the North British will be compelled to treat its servants in a very different fashion in future from what it has done in the past, and I therefore have much pleasure in supporting the Motion of my hon. Friend.

*(10.20.) THE PRESIDENT OF THE BOARD OF TRADE (Sir M. HICKS BEACH, Bristol, W.): The reason I have not addressed the House at any earlier period of this Debate is not want of interest in the subject, or because Her Majesty's Government have not considered the course it will be their duty to take in regard to it. It is because I saw many hon. Members on both sides were anxious to address the House, and on a subject of such singular difficulty and complexity, I own I was anxious to become acquainted with their opinions. There is one feature in the Debate which perhaps I may say has given me unaffected and unalloyed pleasure, and that is the remarkably unanimous and almost childlike confidence which the House has expressed in the Board of Trade. I do not take that as a compliment to myself, but as a well-deserved compliment to the permanent officials in the Department over which I have the honour to preside. But that confidence has been carried by some hon. Members and a good many persons outside this House to an utterly unreasonable point. They are not only confident in us for the future, and willing to repose in us very indefinite power, but they appear to believe we possess to a great extent those powers at the present moment. I have received a very considerable number of memorials from public bodies and other persons in the districts affected by the recent strikes, praying for the intervention of the Board of Trade, and I have been obliged to reply to the effect that the Board of Trade has absolutely no authority to interfere in a dispute between employers and employed. Some of the suggestions that have been made on this point have struck me as remarkable. I have no intention whatever of dwelling on this strike in Scotland. I can assure hon. Members that if by the expenditure of any time and trouble I could have shortened that strike by a single day, no time or trouble would have been spared. But the suggestions have been very vague. I notice this morning in a speech made by the right hon. Member for the Bridgeton Division of Glasgow that he is reported to have used last night these words—

> "When Railway Companies stood out beyond a certain point in a question of a strike which originated in hours and overtime, in his opinion Parliament and the Government had a right to say something."

A good deal has been said to-night, but that does not carry us much further. The right hon. Gentleman, however, went on to say something. He said—

> "It was impossible that gentlemen like those should be dealt with by a Parliament in which every employer had on an average several votes, and the employed only an occasional vote."

Anyone who reads the Debate of to-night will be of opinion that that was a most invidious and unfair statement as applied to the House of Commons. In the course of this Debate we have had several suggestions. It has been suggested that the Board of Trade should set up a Board of Conciliation, and should have some kind of initiative to compel the two parties to a strike to agree, and the hon. Member for Northamptonshire, with some inconsistency. proposed to withdraw his Motion if I accept a proposition which is in no way involved in it. No one knows more about legislative attempts at the establishment of Boards of Conciliation than the right hon. Gentleman the Member for Sheffield. He was the author of an admirably designed Act, which I am afraid has been almost forgotten, for promoting the formation of voluntary Boards of Conciliation. This Act has fallen stillborn. Boards of Conciliation formed without the interference of Parliament have been most successful in dealing with disputes between capital and labour, and all desire, no doubt, that that system should be extended. But if the Board of Trade are asked to propose legislation in order to enable them to appoint a Board of Conciliation, I should like to ask those who make the proposition, firstly, how are we to compel disputes to be referred to such a Board, and, secondly, how are we to compel the two parties to carry out the award of the Board? I do not wish to argue that matter to-night, but until these questions I have just put can be answered, I believe the idea of the establishment of a Board of Conciliation through the operation of the Board of Trade is nothing more nor less than a chimera. Blame has been largely attributed to the North British Company in the recent strike, and I am afraid blame might fairly be attributed to both sides. I do not wish to say one word of blame of anybody, because I trust the strike will soon be ended, and the news may be true that it is ended already. The question really at issue in this strike was not one of overtime merely. That may

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have been the question at issue to a certain extent, but I believe the real question at issue was a question of pay—what the length of a normal day should be, and what was to be paid for hours worked beyond the normal day. That to my mind is not involved in the Motion of the hon. Gentleman at all. It is a dispute between employers and employed on a question of wages, and it is a question with which neither Parliament or Government could usefully interfere. Supposing they were to agree to a six hours day and overtime to be paid for at the rate of time and a half, we should none the less have to consider here, on the principles of the Motion of the hon. Gentleman, whether it was safe in the interest of the public and the men themselves that they should be free to work beyond that normal day as much time as they liked. The proposal of the hon. Gentleman is that some kind of power should be vested in the Board of Trade absolutely to forbid excessive overtime. I think that anyone who has at all considered the Returns that have been presented to the House will observe that the complaints of excessive overtime are mainly true with regard to goods and mineral drivers, firemen, and guards. I think my right hon. Friend the First Commissioner of Works addressed a very fair argument to the House with regard to those Returns. He pointed out that they were not so unsatisfactory as represented by some speakers. He showed that taking the total number of men employed, and the number of working days, the daily percentage of men employed on overtime was comparatively small, and he went on to show that overtime does not necessarily mean continuous work; that, for instance, the driver of a goods train might during the period of employment counted as overtime be shunted into a siding or shed and not be absolutely at work; or that a guard might be waiting at London in a comfortable room provided for him by his employers until it was time for him to return to his train for the return journey. ["Oh, oh!"] Well, but it is so. There is no question that the London and North Western Company and also other companies have made provision for their servants, by which they have been able to take rest at intervals when they have been on duty more than the normal hours. Again, a signalman, for instance, in a box at a country station, where there are comparatively few trains passing in the course of his 12 hours' duty, really has very many intervals of leisure, and I can say from my own knowledge that in many of these cases of 12 hours work the day's duty has been as light and is as easy as an able-bodied man could be called upon to perform. I mention these points because I think there are allowances which should fairly be made in estimating what is excessive overtime as proved by the Returns; but I am bound to admit that in my opinion the reports of the Inspectors of the Board of Trade show that the safety of the officials and of the travelling public is affected by excessive overtime. In the years 1889 and 1890 there were 122 inquiries into railway accidents by Inspectors of the Board of Trade. In 14 of these cases the accident was found to have been more or less due to excessive hours of work on the part of the railway servants, principally drivers and firemen, and 24 separate instances of overtime were given in these cases. My hon. Friend the Member for North Somersetshire (Mr. Llewellyn) asked me to state whether anything is done with regard to the Reports on accidents by Inspectors of the Board of Trade which are laid upon the Table of the Houses of Parliament. Well, I can tell him, and the fact is obvious from statements that have been made in the course of the Debate, that the Board of Trade most carefully studies these reports, and addresses remonstrances and advice to the Railway Companies upon any point on which remonstrance or advice can effectively be offered. That is all the law at present empowers us to do, and we do it, and I believe that in many cases that action and the publicity given to the Report of the Inspector have been followed by the necessary improvement in the arrangements for working the railway. I was also asked by an hon. Member what course the Board of Trade will take with reference to certain accidents which he alleged had occurred during the continuance of the unhappy strike in Scotland. Well, Sir, we have taken, and we shall take with regard to any accident of that kind precisely the same course we should take in respect to any accident occurring under other circumstances. We shall be neither harder nor milder towards the Railway Company with regard to them than we should be if there had been no strike at all. An accident must, of course, be of some importance to call for a Board of Trade inquiry, but I must say that the tendency of my own mind would be to inquire more carefully into railway accidents that occurred during strikes than into those that occurred under ordinary circumstances. Now, a good deal has been said on both sides about the feeling of the men in respect to overtime. I think there could be no doubt that, at any rate in the past, much of the overtime that has been recorded has been worked with perfect readiness by the men themselves. I do not say that they have done that altogether from any mercenary motive. The men are, of course, attracted by the prospect of earning extra wages, and who would not be? It is not only that. An engine driver feels towards his engine, even a signalman feels towards his signal-box, something of the pride that a sailor feels in his ship. He does not like to see a stranger mount his engine or put in charge of his signal-box. He is zealous, and admirably zealous, in the work which he is set to do. Therefore it is not at finding fault with the men, but as stating a simple fact, very much to their credit, that I say overtime is often due to the willingness of the men themselves to work it, even against the desire of the companies. I say against the desire of the companies, and I will prove it. I know that on one railway—and I believe it is the case on others—there is a rule in operation that drivers or guards are directed to inform the stationmaster where their trains stop, when their hours are likely to be exceeded before they arrive at their destination, and on their making that statement the stationmaster is bound by telegraph to provide for their relief at the earliest station at which it can be given. Yet that rule has had to be enforced on the men by fines, and the fact is a clear proof, if any proof were wanting, that this overtime is often against the desire of the Companies. Much has been said to-night by those who have spoken for the men, which induces me to think that the views of the men are changing on this point—that there is a desire on their part which surpasses the wish to increase their wages, to have in future, free to themselves, sufficient time for relaxation as well as for rest. That is a desire with which I am sure every Member of this House will sympathise, and I would venture to point out to the House that this desire, if it be so, removes a very serious obstacle in the way of getting rid of excessive overtime, either by the regulations of the companies or by the interference of Parliament or the Government. I should like, however, to make one observation on the possibility of preventing excessive overtime. It is absolutely impossible, I venture to say, to prevent it altogether. No one who has entered in the least degree into the necessities—the absolute necessities—of railway working can dispute that proposition. You may have a railway accident which disorganises the whole traffic of the line; trains are delayed, and over time even to an excessive extent, is often necessary on the part of the servants in the interests of the public safety. Or there may be a fog or a snowstorm, or one of the steamers crossing the English or Irish Channel might be delayed by a storm—any one of these things, as well as some unexpected excess of traffic may throwthe working of a railway out of gear, and there must be overtime, perhaps excessive overtime, to meet it. That, I think, is a proposition which cannot be disputed. But the question is whether these Returns do or do not prove excessive overtime, extending far beyond any necessity of this kind, and I am bound to say that in my judgment they do; and more, that they show that there is more overtime on some lines than can be required by any difference between the circumstances of their traffic, and the circumstances of other lines with less overtime. It was remarked, and I think with force, in the course of the debate that the observations that have been made against the Railway Companies are by no means of universal application; that the action of some companies in these matters has been deserving of praise, and that if all companies acted like them there would be no necessity for this discussion, or for the interference of Parliament. That I believe to be true, and I believe also that the fact is a proof that all the companies might vastly improve their position if they only tried to do so. Still there has been progress in this direction. I have compared the Returns of March, 1888 with those of March, 1890, with respect to the eight chief companies in Great Britain as to the overtime of goods drivers and guards—that is to say employment beyond 12 hours and beyond 13 hours—and I find that in six of those eight companies there has been a sensible decrease in the percentage of overtime; one has been stationary, and one, I am sorry to say, has gone the wrong way. I can assure the House that this debate is by no means the first time my attention has been called to this subject. As long ago as October last, speaking in public in the district where the unfortunate railway strike has occurred — in Kilmarnock — I stated plainly my opinion that the Railway Companies ought to take in hand for themselves this question of excessive overtime, that it would be much better dealt with by them than by Parliament, but that it would have to be dealt with by Parliament if they failed to do so. Towards the end of last November I emphasized that statement by an official letter addressed to the Railway Association, calling their attention to the number of cases in which my inspectors had reported that accidents were due to excessive overtime, and requesting them at once to consult and consider what should be done to remedy the evil. I am sorry to say, however, that little, if anything, has been done: the Railway Companies, perhaps, have not sufficient influence over each other to remove this difficulty for themselves. I wish they had. I must honestly say, and most Members of the House will share this view with me, that, if the Railway Companies would act in these matters for themselves, it would be infinitely better for the public at large than that Parliament or the Government should interfere. But I am forced to the conclusion that such interference is necessary. And now I come to the Motion of the hon. Gentleman. I thank the House for the confidence expressed in the Board of Trade, but no where is that confidence more touchingly expressed than in the terms of the hon. Member's Motion. He asks the House to resolve—

> "That, in the opinion of this House, the excessive hours of labour imposed on railway servants by the existing arrangements of the Railway Companies of the United Kingdom constitute a grave scandal on justice, and are a constant source of danger both to the men themselves and to the travelling public; and that it is expedient that the Board of Trade should obtain powers by legislation to issue orders, where necessary, directing Railway Companies to limit the hours of work of special classes of their servants, or to make such a reasonable increase in any class for their servants as will obviate the necessity for overtime work."

But neither in the terms of the Motion nor in his speech, nor in the speech of any single hon. Member to-night, can I find the slightest hint as to the regulations which should be made. This House is asked to resolve that the Board of Trade should be placed in the position of a general director of all the Railway Companies of Great Britain and Ireland. And the Board of Trade is to do something—what we do not know—to carry into effect the general principle which this House is asked to affirm.

*MR. CHANNING: I think I stated in my speech that my suggestion was that an order should be issued by the Board of Trade, where it is found by the evidence, for instance, that the booked times for engine-drivers are such as are proved by experience to constantly result in these excessive hours, requiring the companies to limit or alter the hours of booking those men.

*SIR M. HICKS BEACH: What does the hon. Gentleman mean? Am I to issue an order that no engine-driver shall work for more than twelve, ten, or eight hours?

*MR. CHANNING: No.

*SIR M. HICKS BEACH: I do not put this point by way of controversial argument, but as a practical difficulty. It seeems to me it is a practical difficulty of enormous importance, and when I heard the Member for West Fifeshire suggesting that it was the easiest thing in the world for the Board of Trade to undertake it, I confess I felt disposed to congratulate him that he had not had the experience which I have had of the work imposed by Parliament, I am afraid at my own instance, upon the Board of Trade during the past two years. I will not go into the question of railway rates, which is not strictly germain to the present debate, but the Railway Regulation Act of 1888 enabled the Board of Trade to order all Railway Companies to adopt continuous brakes in passenger trains, to adopt the interlocking system of signals, and the block system throughout their lines. The opinions of experts and of the railway managers themselves were practically unanimous as to the wisdom and the necessity of all these provisions. The orders requiring them to be adopted were obviously of a comparatively simple and definite character, but I can assure the House that I have had the greatest possible difficulty in adapting the orders to the circumstances of the different railway lines throughout the United Kingdom, varying as they do from the great London and North Western to some trifling small local line in the North of Scotland or the West of Ireland. When it comes to a question of employment, what is it that the hon. Member asks me to do? The hon. Member asks me, for instance, to forbid the employment of signalmen for excessive overtime. Supposing I were to fix the maximum hours of signalmen at 12 hours. A 12 hours day for signalmen is a very easy day's work in certain cases, but there are signal boxes where eight hours is a very hard day's work indeed, and where even half that time is more than any one man can do without rest. Am I to settle what should be the hours of work in every signal box on every railway throughout the United Kingdom? That is the task which the hon. Member would seek to impose upon me, and, more than that, he asks me to fix the number of men which I may consider adequate to be employed in the service of the railways. ["No."] But he does, for he says—

> "Or to make such reasonable increase in any class of their servants as will obviate the necessity of overtime."

I merely put these points to the fairness and good sense of the House. How is it possible for any Government Department, with any staff at its command which Parliament would be likely to sanction, to undertake such a gigantic task as this; and if it did undertake it, what would be the result? Supposing we fixed maximum hours for drivers, or signalmen, or guards, and an accident occurred, because those hours proved too long in some individual case: would not the Railway Company be able to plead, "We have done what the Board of Trade required us. These hours are within your rules. Your inspectors report, no doubt, that they were too long in this particular case, and that the accident was due to that; but our responsibility is gone?" On whom would the responsibility rest? Would it rest on the Board of Trade? Would this House be content that any Government Department should undertake responsibility, practically, for the working of the railways, without owning them and managing them as well? The idea in the hon. Member's mind is a dangerous idea to me beyond everything, for this reason—that it seems to me to lead up to the purchase and working of the railways of the United Kingdom by the State. I cannot conceive anything worse than that for the service of the public or the railway servants themselves—nothing more dangerous for political corruption in this country. The hon. Member seems to agree with me. He disclaims that idea. I am excessively glad to hear it, because it brings us nearer together than I thought we were. I am content to admit, as the Railway Companies have not dealt with this matter as they ought to have done, that the time has come when Parliament should carefully consider whether, and in what way, it should interfere; but I contend that it is impossible to overrate the difficulty of defining that interference—what it should be, and within what limits it should be confined, so as to avoid what I think this House wants to avoid, any diminution of the responsibility of the Railway Companies for the management of their own lines. If the hon. Member's Motion is adopted, the House will affirm a vague principle without the faintest explanation on the part of those who have supported it, as to the mode in which they would carry it into effect. Sir, in this matter I mean business. I want to do something practical. Let this House, if it likes—I cordially agree with the view myself—let it affirm its objection to excessive overtime as dangerous to the travelling public, and to the men themselves. Let it appoint a carefully chosen Committee, not to delay action on this matter, but to inquire whether legislation is possible, and, if so, what that legislation should be. Let us come to that resolution now by an unanimous decision, apart from Party feeling, with a desire to provide for the safety of the travelling public, and of the men, and yet, at the same to time, to preserve the essential responsibility of the company. I believe we can come to such a resolution, and what I would suggest is this: I would ask the hon. Member to withdraw his Motion, and if he agrees, I would propose in its stead—

> "That, in the opinion of this House, the employment of railway servants for excessive hours is a source of danger both to the men themselves and to the travelling public, and that a Select Committee be appointed to inquire whether, and, if so, in what way, the hours worked by railway servants should be restricted by legislation."

*(10.55.) SIR W. HARCOURT (Derby): As to the importance of this Debate and the questions raised in it there can be no dispute. There are involved in it the interests of the great Railway Companies, perhaps the most powerful and the greatest corporations in this country. I am not going to throw any stone at the Railway Companies or their directors. I have had at one part of my life too intimate a knowledge of the manner in which these great concerns are conducted not to render to them a tribute of respect for the spirit, intelligence, and integrity which they display. I believe that nowhere are these great corporations conducted with so much regard for the convenience of the public, and, generally speaking, the welfare of their *employés*, as in this country. Therefore I shall make no attack on them in this Debate. On the other hand, there are the men employed by them, who are to be counted by thousands, and even by hundreds of thousands, and I think no one who has thought of the exposure railway servants have endured during the past few weeks in the weather we have had can fail to believe that these men have exhibited a courage and endurance equal to any soldier in the field. Besides that there are the public at large, whom the men serve, and they

have great interest in the welfare of both. Now, Sir, what is it we have been called upon to debate to-night? My hon. Friend the Member for Northampton, in a speech, the ability and moderation of which everyone will recognise, proved to demonstration the fact that there is going on in this country a system of overtime which overtaxes these men, which is injurious to them, and which is dangerous to the public. That is a proposition which cannot be denied. It was sustained in a speech of great ability and earnestness by my hon. Friend the Member for Durham, who spoke with great authority on behalf of the class to which these men belong. How was it met? It was met—I hope I may say it without disrespect—by the weird sibyl of the Conservative Party. We always listen to him with respect, whether he dictates to us in the columns of the *Times*, or to his own party in this House, and he says, in effect—"For Heaven's sake do not let us be compelled to vote against this Motion. Do contrive for us some means of escape, if it is only a Committee or a Commission of Inquiry, so that we may not vote against it." The hon. Member spoke words of wisdom which sank deep into the Treasury Bench. I saw the consultation which took place, and as usual the hon. Member for Salford proved infallible, and his suggestion was adopted. Then the debate continued, and there was the usual procession of railway directors, who one after another got up and declared that there was no grievance to remedy at all; that everything was for the best in the best of all possible worlds. It was true that occasionally the men might work beyond ten hours, but that was an accidental circumstance which arose from a condition of things that could not be avoided. Then my right hon. Friend the Commissioner of Works, "garbed in white-robed innocence appeared." I quite believe in my right hon. Friend's innocence; but it is not against the London and North Western Railway that this Motion is directed. He spoke of the company with which he is connected, and that speech contained the most interesting and lively statistics. But what would you think of a Member who, upon a Bill to amend the law of larceny, should say, "I assure the House of Commons on my honour that I never picked a pocket in my life?" We know that my right hon. Friend the First Commissioner of Works never picked a pocket, but that is no reason why there should not be a Bill to amend the law of larceny. The question here is, is there a grievance to be remedied or not? I remember when the railway directors and the railway interests were all-powerful in this House, and that when a dozen directors got up one after another the Government had to do what the directors ordered them to do. Those days have disappeared with household suffrage. And though I regret with my hon. Friend the Member for Durham that the railway workmen have not their personal representatives in this House, at all events they have representatives who are disposed—and who if they were not disposed, would be compelled—to guard their interests. Therefore I do not think that all this procession of Railway Directors which we have seen to-night, declaring that there is nothing to remedy at all in this case, is likely to prevail with the House of Commons. Indeed, it has not. Because if they do not confess for themselves, at all events the President of the Board of Trade, with a certain delicacy towards his colleagues, has confessed the offences of some of the Railway Companies; he has admitted that they ought to remedy these grievances; that they will not; and that they are not likely to do it unless they are compelled. At this late hour I will not go into figures, but with these Returns before us it is sheer nonsense to talk of this overtime being the result of inevitable accident. It is nothing of the kind. There are hundreds and thousands of instances, even in that impeccable company the London and North-Western itself. What is the fact? In the best companies the great increase of their business has made it enormously difficult for them to meet the demands upon them; but the best of them have made efforts, and they are meeting those demands. I would here remind the House that the scale of this Return is a 12-hour scale, while that in operation on the North Western is a 10-hour scale; and, therefore, whatever is in excess of 10 hours is in itself overtime. The other day one of the directors of a northern railway was talking to me on the subject of the strike in Scotland, and he said, "Why, in Carlisle Station, on the north side, there is a 12-hour system, and on the south side a 10-hour system." How is it possible to maintain such a contrast as that where two systems are in absolute contiguity? It is impossible. Where there is a grievance of this kind, is the House of Commons to attempt to deal with the matter? The President of the Board of Trade, inspired by the hon. Member for Salford, wishes to get rid of this Resolution. If I might venture to advise the hon. Member for Northamptonshire, I should not part with my Resolution. I have had some years' experience in the House of Commons, and I have learnt that if you want to do anything, and you bring forward a Resolution of this kind, you had better stick to it if you hope to accomplish any practical object. It has been said that public opinion ought to be sufficient in these matters to affect the Railway Companies. Well, Sir, if public opinion had been sufficient to affect the Railway Companies it would have stopped the strike in Scotland. I believe that all reasonable opinion was against the conduct of the directors. I do not quarrel with the President of the Board of Trade for not having entered upon the question of the strike. The opinions he expressed to-night are a condemnation of the directors in Scotland. Every one knows that the conduct of the North British Company is intolerable, and the whole contention is whether or not overtime ought to be restrained. Unfortunately public opinion has not been allowed to stop this contest. There are organs of public opinion, both in England and Scotland, which have kept this strike alive. I have been ashamed to read the brutal language addressed to the men in this conflict by the *Scotsman* in Scotland and by the *Times* in London. They have instigated the masters not to yield—not to make any terms with their men, not to accept anything but an absolute and unconditional surrender. I read an article in the *Times* the other day in which it said the strike was over. Well, Sir, that has been extremely unfortunate, and now we have to see what is to be done in the matter. One of the great evils in this question is that the companies have not chosen to meet their men. They have laid down the principle that they will have nothing to do with Trades' Unions. In my opinion that is an extremely foolish principle. What are the Trade Unions? They are the recognised representatives of the interests and wishes of the men. What would you think of one of two nations, who had gone to war and desired to make peace, starting by saying it would not treat with the Government of the other country? What an absurdity that would be! Can there be anything more absurd than the language of the Directors when they say "We won't treat with the Trades' Unions. In my opinion these recognised organs of the men are the best means of settling these questions, and I believe that all of the most intelligent capitalists are of that opinion in dealing with questions of this kind. Now, Sir, is there any objection to deal with this question by some Public Authority? It does not raise at all the question of dealing generally with the hours of labour. In dealing generally with the hours of labour you would have to deal with traders on the ordinary footing, and Railway Companies are not traders of an ordinary kind. They enjoy a monopoly created by Parliament. They are responsible to Parliament, and are in many respects governed by the Executive. Why do you order them to use the block system or a particular kind of brake? The Government has accepted the responsibility, and surely the right hon. Gentleman the President of the Board of Trade must see that by ordering a particular kind of brake he is responsible for any accident it may cause.

*Sir M. HICKS BEACH: The Act of Parliament directs that it shall be ordered.

*Sir W. HARCOURT: The right hon. Gentleman receives a complaint in his official capacity, and upon that he interferes with the brakes used by the Railway Companies in a manner he would not adopt in any other trade. But there is another point to be borne in mind with regard to the position of the men, the railway system is not an open trade. Men are brought up as servants of the Railway Companies, and they have not got the market that men in other trades have. They can only go to the monopolists. That places the whole question of the labour of the Railway Companies, who confine their labour to a restricted market, upon an entirely different footing. Of course, there is the element of public danger in the matter, and that cannot be left out of sight. But I do not wish to enlarge upon that. Then it will be said: "You are interfering with the freedom of contract." Well, I thought even Her Majesty's Government had got past that. The Minister of Agriculture at one time entertained a horror of that blessed word "compulsion." Let me remind hon. Gentlemen opposite of one of their favourite legislative proceedings, I mean the Allotments Act. That was a compulsory Act, and when it was passed they said the new power of compulsion would lead to voluntary effort. Well, just the same will happen in this case. Do you believe that if there had been an authority that could interfere with overtime the strike in Scotland would have ever taken place? No, it would not. The fact of such an authority existing would have caused the company and the men to come to an arrangement. I was surprised, I must say, that the right hon. Gentleman the President of the Board of Trade should raise all those difficulties, which are no difficulties at all, about his arranging the hours of labour for a particular class of men. That is not what is contemplated. If a company systematically worked its men overtime, it could be brought before either the Board of Trade or some other public authority. It would be brought before that authority accused of having a general system of overtime. An inquiry would be made into the question whether it had a good system like the London and North Western Company or a bad system like that of the North British Company, and an order would be made upon it to amend its system generally, and that its system should be put upon a reasonable basis, and should not admit of a day of 15, 17, or 18 hours. That is business. It is perfectly easy when a man does not want to do a thing, to find every possible reason for not doing it by raising every conceivable difficulty. That is not what we intend at all. We desire to-night to make this declaration. I do not place in the Board of Trade that childlike confidence which the right hon. Gentleman thinks would be misplaced. If, instead of vesting it in the Executive, the Government thinks it better to leave a general thing of this kind to the Railway Commission, which is a body outside the Executive Government, and if it likes to amend the Resolution in that form, I would ask my hon. Friend to assent to it. That would be a body outside the Executive Government to whom a charge of that kind against a Railway Company might be properly referred, and it would be heard on behalf of the men on the one side, and on behalf of the company on the other; and the company would be ordered to amend its system in a reasonable manner on the basis of a fair standard, and afterwards it would be for the tribunal to see that it was so amended as to prevent the evils which had been condemned. That seems to me to be a perfectly intelligible proposition. That is what we desire here to see accomplished, and to push this matter over to a Committee is to leave it in a most unsatisfactory state. I believe already that this discussion will have done a great deal of good, and if it is true, as I believe it is, that the strike in Scotland has come to an end, this discussion to-night may have done something to bring about a settlement. I believe that if you establish some tribunal of this kind you will be very seldom called upon to use it. I am quite as much against the notion of interfering with the details of railway management as anyone; but I believe the knowledge that there lies behind an authority which can compel justice to be done as between the parties, and reason to be observed in the time of the employment of these men, would obviate the necessity of ever going into those details at all, and would compel a reasonable settlement of such disputes as we have seen. That is the object which I understand my hon. Friend has in view, and I hope the House will support and affirm the Resolution.

*(11.24.) THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): Mr. Speaker, I wish to say a few words in reference to the observations of the right hon. Gentleman. The President of the Board of Trade admitted that a

case had been made out for the consideration of the House with respect to the excessive hours of railway servants, and he has suggested that some practical means should be taken by this House to ascertain how Parliament could fitly deal with the subject, and whether legislation is required in cases of this kind. I have listened attentively to the observations of the right hon. Gentleman opposite, and he has not suggested any method by which practically this evil, which is admitted by my right hon. Friend, could be dealt with.

*SIR W. HARCOURT: I beg pardon. I think I suggested something should be done by an Act of Parliament appointing a tribunal.

*MR. W. H. SMITH: The right hon. Gentleman has suggested that by an Act of Parliament somebody, whether the Board of Trade, the Railway Commission, or some other body, is to do something which is not to interfere with the details of railway management, but which is to lay down some general principle applicable to the circumstances we have to deal with, and which will avert the evil which we all agree ought to be averted. My right hon. Friend, on the other hand, has made a practical proposition to the House. He has proposed that the question shall be examined by a strong Committee of the House, with a direction as to whether legislation cannot be proposed which shall have practical effect, so as to escape all the difficulties which the right hon. Gentleman the Member for Derby feels, but which he has not dealt with. We admit the grave importance of this question to the railway workmen of this country, who deserve all the credit which the right hon. Gentleman has given to them for their zeal in the service of the public, for their courage, and for their endurance in circumstances of great difficulty and hardship. But let us be practical in dealing with the question. We desire to assist in the object which the hon. Member has in view, and we do not desire to evade it, as we should possibly evade it, by accepting this Resolution, to give power to the Board of Trade to direct Railway Companies to limit the hours of a special class of their servants, and so on. My right hon. Friend might in those circumstances

receive a Report, and might write on the authority of the Board of Trade, stating that it was necessary that orders should be issued providing that railway servants should not work overtime, and that such reasonable increase in the number of servants should be made as to obviate the necessity for working overtime. There would be a correspondence between the Department and the Railway Company in fault. I should like to know whether that would include any substantive method of enforcing the authority of the Board of Trade? But this has a double effect. If the Board of Trade is responsible for directing that the hours of work shall be such as are satisfactory to the Board of Trade, there would be a demand, on the other hand, that the railway servants should be called upon to work during those limited hours. I am afraid that the right hon. Gentleman will then see that we are interfering with the details of railway management which we are incapable of enforcing, and dealing with difficulties which are more serious than any we have attempted up to the present time. Let a Select Committee consider this very grave question; and if they can come to any conclusion—as I hope and trust they may—which will enable the Government to propose legislation on the subject, then we may arrive at a result which will be satisfactory.

*(11.31.) MR. R. B. HALDANE (Haddington): The two Members of the Government who have addressed the House have said that those who support this Resolution have nothing practical to propose. I reply that the Resolution itself contains a perfectly practical proposal. Coming fresh from contact with those who are concerned in this strike, I may state that there are three classes of men who are chiefly concerned in it—the signalmen, the drivers, and the guards, and they consider they have a grievance which affects the public as well as themselves. In the signal-boxes men are occasionally kept on duty for hours which are not only beyond the power of human endurance, but for hours which are inconsistent with the safety of the public. Engine drivers are kept on their engines for 16, 17, and 18 hours. These are facts which have been proved in evidence.

What we ask is not a restriction of the general hours of labour, but for some interference in the public interest—that the Board of Trade should have power to send down its Inspectors to inquire into complaints as to excessive hours, and should have power, by means of bye-laws, to forbid the employment of certain classes of railway servants for more than reasonable hours. This is a moderate and simple proposition, and it is one that does not require to be considered by a Committee. It only requires a small amendment of the Act of 1888, and the proposal would not throw upon the Board of Trade any functions it is not perfectly competent to discharge. This question has been discussed from two different points of view. One point of view has been that there is a grievance which affects the public in such a manner as to justify legislative interference. Not only are Railway Companies monopolists, but they are monopolists who have made very large profits at the expense of the public. We do not grudge them that. Their Stocks have been split and sub-divided in such a way that it makes it difficult to calculate their value; but undoubtedly, compared with what was originally paid, they stand at an enormous premium. I hold that it is not unreasonable that in the public interest we should ask for the simple powers contained in the Motion to be conferred on the Board of Trade. But when we come to the wider question involved, I feel, not on abstract grounds, but in the interest of labour, that we are brought face to face with a very grave difficulty. From what I have seen of strikes I do not believe that the question at issue in a single one could have been satisfactorily disposed of by an Act of Parliament, and if this House were called upon to deal with these disputes it would have no time to discuss any questions but those of the relations of labour and capital. I am, however, glad to think that we are not coming to that. I agree with my right hon. Friend the Member for Derby that this Debate marks an epoch in the history of the relations of labour and capital in this country. Such a Debate could not have taken place 10 years ago. It has been made possible by the extension of the franchise. Even hon. Gentlemen opposite feel the pressure of their constituents, some portion of whom belong to the labouring class, and that is the explanation of the moderate tone of the President of the Board of Trade's speech, to which I listened with much interest. The right hon. Gentleman laid down principles very foreign to those which used to be urged on both sides in this House. It seems to me that we have made a great step forward. But, still, we are only at the beginning of wisdom; we have not yet reached the end. What was the question which agitated the public the other day in connection with this great strike, which we trust is drawing to a conclusion? It was, were the Railway Companies to recognise the federation of labour: whether they were entitled to say that for the future the formula should be master and servant instead of capital and labour. It seems as if a great Party issue is about to be fought out on that question. We shall have to say whether we on this side at all events ought not to insist on the recognition of the principle that the working people of this country are as free and have as perfect a right to federate against capitalists as the capitalists themselves possess. You will never get smooth relations between employers and employed until you recognise that principle. What have you in Northumberland and Durham? My hon. Friend the Member for Morpeth could give the House some interesting information as to Trades Unions. He could tell it that the Trades Unions in those counties are big enough and strong enough to appoint men of business to negotiate with the employers. You rarely hear of any friction in the relations of employers and employed there. But until you concede that the workingmen of the country have a right to federate, I do not believe you will have anything like smoothness or freedom from friction. I do not rely on legislation as a means of getting rid of these evils. I recognise the principle that labour must be on a footing of equality with capital. But that is not the proposition before the House. I, for one, shall support the Motion of the hon. Member for Northamptonshire, because it would be pedantry to vote against it, and because it embodies a proposition which could be easily carried out, and which I believe would work effectually. On the other hand, the suggestion of the Government would merely give the go-by to that plan.

*(11.40.) MR. M'LAREN (Cheshire, Crewe): As I represent a greater number of railway servants than any other Member of this House, I hope I may be allowed to speak for a few minutes. I desire to ask, in the interest of the railway servants whom I represent, and who are *employés* of the London and North-Western Railway, whether the President of the Board of Trade intends to move the Resolution he has suggested, and if he will undertake that it shall be accepted as a fact by the Committee which he proposes to appoint that there is excessive overtime, and that that fact shall be the basis of the Committee's inquiry? I also wish to ask whether the right hon. Gentleman will pledge himself to deal with the subject this year. If an undertaking is given that some practical legislation will be proceeded with this year I will support the right hon. Gentleman most cordially. I consider his speech in itself an ample justification of the Motion, for he has admitted that there is excessive overtime worked on railways. With regard to what the First Commissioner of Works said as to the London and North Western Railway Company, I could, if I had time, put a very different complexion upon it.

*(11.42.) SIR M. HICKS BEACH: I think I ought to answer the question of the hon. Member. I will again read the terms of the Motion which I said I would propose if it were accepted in substitution for the Resolution of the hon. Member for Northamptonshire. It reads as follows:—

> "That, in the opinion of this House, the employment of railway servants for excessive hours is a source of danger both to the men themselves and to the travelling public"

—that clearly admits the fact of excessive overtime—

> "and that a Select Committee be appointed to inquire whether, and, if so, in what way, the hours worked by railway servants should be restricted by legislation."

I said, in making this proposal on behalf of the Government, that if the Report of the Committee should be in accordance with the views of the Government, it would obviously be our duty to give the Report the earliest possible legislative sanction; but it is impossible for any Government to pledge themselves to adopt the Report of a Committee before they know its contents.

(11.44.) The House divided:—Ayes 141; Noes 124. (Div. List, No. 13.)

Main Question again proposed, "That Mr. Speaker do now leave the Chair."

Motion, by leave, withdrawn.

SOLICITORS MAGISTRACY BILL.—(No. 80.)

SECOND READING. ADJOURNED DEBATE.

Order read, for resuming Adjourned Debate on Question [4th December], "That the Bill be now read a second time."

Question again proposed.

Debate resumed.

*(11.58.) MR. CRAIG (Newcastle-upon-Tyne): When the Debate on this Bill was adjourned last night I was endeavouring to elicit from the Law Officer of the Crown some explanation of this somewhat obscure Bill. It professes to be a Bill to enable solicitors of the High Court to act as County Justices but it really proposes in its enacting clause to repeal the 6th Geo. IV., chap. 48. Now, what is that enactment? On looking into the matter I find it an Act for the recovery of small debts in Scotland. There are no fewer than 11 closely printed pages in that enactment, and I do urge that we are entitled to some explanation of this extraordinary state of affairs. What is the real object of the Bill? Will the Solicitor General kindly give us some explanation on that point?

It being midnight, the Debate stood adjourned.

Debate to be resumed upon Monday next.

House adjourned at two minutes after Twelve o'clock till Monday next.

HOUSE OF LORDS,

Monday, 26th January, 1891.

SMOKE NUISANCE ABATEMENT (METROPOLIS) BILL. [H.L.]

FIRST READING.

LORD STRATHEDEN AND CAMPBELL: My Lords, I rise to ask your Lordships to read for the first time a Bill for the abatement of smoke in the Metropolis. It is identical with that which has lain before on the Table of your Lordships' House. Its object is to prevent nuisance from smoke arising from buildings and factories, so far as it is not already prohibited by Acts of Parliament. I reserve any explanation until the Second Reading, and only add now that whether it comes into force or not must depend to a great extent upon the view and course taken by Her Majesty's Government regarding it.

A Bill to amend the Acts for abating the nuisance arising from the smoke of furnaces and fireplaces within the Metropolis—Presented by the Lord Stratheden and Campbell; read 1ª; and to be printed. (No. 22.)

SHERIFFS (ASSIZES EXPENSES) BILL [H.L.].

A Bill respecting the expenses of high sheriffs in connexion with assizes—Was presented by the Earl of Camperdown; read 1ª; and to be printed. (No. 23.)

RAILWAY ACCIDENT AT WORTLEY.

***EARL DE LA WARR**: My Lords, I rise to move for a Copy of the Report of the Inspector of Railways to the Board of Trade relative to an accident which occurred at Wortley, near Leeds, on the Great Northern line on the 24th December last. I should state that my object in doing this is that your Lordships may have before you one of the Reports of the Inspectors of Railways to the Board of Trade which show the connection between some accidents and the excessive hours of work of railway servants. I believe that in this Report the Inspector specially alludes to that fact. I understand that besides this accident there are others which are reported upon in a similar manner, namely, as connecting them with the excessive hours of work of railway servants. I should have been glad to have had the whole of the Reports upon such accidents together; but I have been informed, as probably your Lordships know, that the Reports of all railway accidents that are inquired into are laid upon the Table of your Lordships. I am not quite certain to what period they reach, but your Lordships will find that within the last 12 months, or nearly that time, there have been a number of accidents to which the Inspectors have referred as being the result, more or less, of the overwork of the servants. I should have been glad to have had all those Reports together laid before your Lordships; but inasmuch as they are already in the possession of the Board of Trade, it will be unnecessary for me to ask permission to extend the notice which I have upon the Paper. I would, therefore, ask that this Report may separately be laid before your Lordships as a specimen of Reports connecting railway accidents with overwork. This matter has become of the greatest importance, as your Lordships must know, especially lately, seeing what we have read and heard, and these Reports are of value, as showing that there is a certain class of accidents which are materially connected with the overwork of railway servants.

Moved for—

"Copy of the Report made to the Board of Trade relative to the railway accident at Wortley on the 24th of December, 1890."—(*The Earl De La Warr.*)

***THE SECRETARY TO THE BOARD OF TRADE (Lord BALFOUR of BURLEIGH)**: My Lords, as the noble Earl has asked for it, there will be no objection to laying this Report specially upon the Table of your Lordships' House, and I will do so; but I should like to call the attention of the House to the fact that these Reports are systematically presented to both Houses of Parliament at periods of a few months. The Reports for the first half of last year have already been printed and are in the hands of your Lordships. The Returns for the last half of last year are in the printers' hands, and will be laid upon the Table of the House as soon as possible. This Report, which the noble Lord refers to in his Motion, was dealt with in the usual way at the time it was presented, that is, that after being presented to the Board of Trade it was communicated to the Railway Companies concerned, and their attention called particularly to any matter which seems to require to be called to their attention, and it was made public through the usual channels of information. It is quite true that in his Report upon the accident at Wortley Major Marindin does call attention to the length of hours which some of the servants of the company had worked, but he clearly exonerates those servants from any blame for the accident, and, so far as his opinion is concerned, he lays the blame for the accident upon a servant who had been on duty about seven hours and a half. At any rate, your Lordships shall be able to judge of the Report for yourselves, for I shall be glad to lay it upon the Table of the House.

LORD COLVILLE OF CULROSS: The noble Earl who brought forward this subject alluded, in the outset of his remarks, to a connection between the railway accident he refers to and lengthened hours of labour of the servants on the line. Probably he has never seen this Report, for if he had he might have read a paragraph in it where the Inspector of the Board of Trade says that "the persons responsible for the collision were the signalmen," and nobody else. Therefore, the long period which this driver had been with his engine had nothing to do with the question whatever. But upon that subject of the lengthened hours which the man had been driving his engine I wish to make this explanation: he commenced his work at a quarter past 3 in the morning; he went a distance of six miles, and then for six hours and ten minutes he never moved; he then went a distance of eight miles, and he then rested for three and a half hours. In fact, during the long period of 18 hours he was upon the engine he drove but a short distance on account of a dense fog which existed throughout the day, so that it was hardly possible for the engine to move at all. During the whole time he was upon the engine he only travelled 29½ miles.

*EARL DE LA WARR: I would call the noble Lord's attention to the concluding paragraph on page 5 of the Report, which states that—

"The driver and fireman of the Great Northern engine had at the time of the collision been on duty for 18¼ hours, which is far longer than any driver should be allowed to remain upon an engine, both for his own sake and for the safety of the public."

LORD COLVILLE OF CULROSS: That was the driver of the engine which was run into, not of the engine which caused the accident.

*EARL DE LA WARR: My question was directed to the whole circumstances attending the accident, and was not confined to the fact of one driver having been on duty for 18¼ hours.

LORD COLVILLE OF CULROSS: It had nothing to do with the accident.

On Question, agreed to; Return ordered to be laid before the House; Return laid before the House (pursuant to Order), and ordered to lie on the Table.

METROPOLITAN HOSPITALS, &c.

The evidence taken before the Select Committee from time to time to be printed for the use of the Members of this House (No. 24); but no copies thereof to be delivered, except to Members of the Committee and to such other persons as the Committee shall think fit, until further order.

House adjourned at twenty minutes before Five o'clock, till To-morrow, a quarter past Ten o'clock.

HOUSE OF COMMONS,

Monday, 26th January, 1891.

QUESTIONS.

THE CHELSEA SAVINGS BANK.

MR. HOWELL (Bethnal Green, N.E.): I beg to ask the Chancellor of the Exchequer whether he can state to the House what progress has been made in the settlement of the affairs of the Chelsea Savings Bank, and the amount in the pound paid to depositors up to this date, and also what prospects there are of a final dividend; and will he state the amount of the total embezzlements of the late manager and secretary?

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): An Order was made on the 24th of December for payment of a further and final dividend, making 20s. in the pound. The liquidator is proceeding with the payment of the depositors. The secretary of the bank has this week been arrested, and is remanded on charges of falsification and embezzlement. It has not been, and will not be, necessary to ascertain the exact amount which is supposed to have been embezzled by him, but sufficient has been traced by the official liquidator to enable charges to be preferred, and for him to speak as to a large amount. As, however, the charge of embezzlement is now the subject of inquiry in a Criminal Court, I think it would not be right at present to give any answer to this part of the question, which assumes the guilt of the accused.

THE CARDIFF SAVINGS BANK.

MR. HOWELL: I beg to ask the Chancellor of the Exchequer whether he can inform the House as to the progress made in the liquidation of the Cardiff Savings Bank; and whether any further amount has been paid to the depositors in the shape of dividend; and, if so, how much?

MR. GOSCHEN: I am informed by the official liquidator that the amounts at present recovered are not sufficient to enable him to apply for leave to pay any further dividends. Four trustees and managers, and the representatives of three deceased trustees and managers, have made payments to the liquidator which the Court have permitted him to accept in full settlement of the claims on those gentlemen. Proceedings, however, are in progress against a number of the trustees and managers who declined to admit any liability; and, under these circumstances, the hon. Member will understand that I am not in a position to make any statement at present as to the prospect of a dividend.

IRELAND—TRADE IN METHYLATED SPIRITS.

In reply to Mr. O'NEILL,

MR. GOSCHEN: The Inland Revenue Commissioners have carefully inquired into the allegation that methylated spirits are used in Antrim and Derry for consumption, but have not been able to find that such practice prevails. If the hon. Member can supply me with any evidence as to the practice, or indicate the sources from which such evidence can be procured, the matter shall be followed up vigorously.

THE HOUSE OF COMMONS READING ROOM.

In reply to Sir J. SWINBURNE,

*THE FIRST COMMISSIONER OF WORKS (Mr. PLUNKET, Dublin University): I agree with the hon. Baronet that the electric lighting in some parts of the building is not yet all that we could desire; but I hope we shall be able steadily to improve it. In many places it is in a transition state.

THE DONEGAL EVICTIONS.

MR. DALTON (Donegal, W.): I beg to ask the Attorney General for Ireland if his attention has been drawn to the account of the eviction of Mrs. M'Ginley at Meenacladdy, County Donegal, on 15th November last, at which, on a show of resistance by those inside the house, the police commenced throwing volleys of stones at the house, and continued doing so until the eviction was completed; and whether this action on the part of the police was sanctioned by him?

THE ATTORNEY GENERAL FOR IRELAND (Mr. MADDEN, Dublin University): From the Report before me, it appears that the police were violently assailed with stones from inside the house, and were placed in considerable danger. Some stones were then thrown by the bailiffs and by a few of the police in order to keep the assailants back from the window. In reply to the second paragraph, I have to say that the action of certain of the police appears to have arisen out of the circumstances of the moment, and to have been taken in self-defence.

MR. DALTON: Is it the fact that at the trial of these boys the District Inspector stated that the whole thing had been premeditated and pre-arranged?

MR. MADDEN: I do not see that in the Report before me. Some of the police were not summoned for assault, and the case was dismissed by the Magistrates on the ground that the police were justified in the action they took.

CATHOLIC PRIESTS AT ELECTIONS.

MR. T. W. RUSSELL (Tyrone, S.): I beg to ask the Attorney General for Ireland whether, in view of the prevailing custom in Ireland of appointing

Roman Catholic clergymen as agents within the polling booths at contested elections, the Government will consider the propriety of amending the Ballot Act in the direction of preventing clergymen acting in this capacity?

Mr. COX (Clare, E.): Before the right hon. Gentleman answers the question, may I ask the hon. Member for South Tyrone (Mr. T. W. Russell) if it is not the fact that at the last election for South Tyrone several clerical gentlemen of various denominations acted as agents both inside and outside of the polling booths?

Mr. T. W. RUSSELL: Not that I am aware of.

Mr. MADDEN: Without pronouncing any opinion on the custom to which my hon. Friend refers, and without pronouncing upon the expediency of making any alteration in the existing law governing the election of Members of Parliament, I may state—and my hon. Friend will probably agree with me—that the exigencies of Parliamentary business do not at present seem to hold out much hope of our being able to add any seriously controversial measures to the programme of the Government.

Mr. H. BYRON REED (Bradford, E.): In the event of a measure being introduced by a private Member, will the Government be prepared to give it, at least, a benevolent consideration?

Mr. MADDEN: I cannot enter into any engagement on the subject.

MAGISTRATES' PENSIONS

Dr. TANNER (Cork Co., Mid): I beg to ask the Attorney General for Ireland if it is a fact that it is proposed to arrange that Irish Resident Magistrates who have previously served in the Royal Irish Constabulary are to be allowed to reckon their service in the Constabulary in their claim for pension as Magistrates; and in what respects the granting of pensions in the case of such Irish Magistrates differs from the course pursued in the granting of pensions to Magistrates in England, Scotland, and Wales?

Mr. MADDEN: Owing to a defect in the law, public officials transferred from any Service in the United Kingdom having a special Pension Code of its own to a Service pensionable under the Superannuation Act of 1859 forfeit their previous service, and it is proposed to remedy this injustice by amending legislation. The proposed legislation would secure for Irish Resident Magistrates their previous service in the Royal Irish Constabulary in cases where appointments were made from that body. I have no official cognizance of the matter referred to in the second paragraph; but if there are any such Magistrates whose pensions are governed by the Superannuation Act of 1859, and if they have previous continuous service in any branch of the Public Service with a special Pension Code, they are in precisely the same position as the Irish Resident Magistrates who have been transferred from service in the Royal Irish Constabulary.

Dr. TANNER: Are the pensions to be merely for the benefit of Government minions?

*Mr. SPEAKER: Order, order!

POTATOES FOR IRELAND.

Colonel NOLAN (Galway, N.): I beg to ask the Lord Advocate if the Secretary for Scotland will take precautions to prevent potatoes grown outside of Scotland, and imported into Scotland, being sold as Scotch seed to Irish Unions, or to contractors for Irish Unions?

*The LORD ADVOCATE (Mr. J. P. B. Robertson, Bute): I am not aware that means are available to the Secretary for Scotland for effectively taking such precautions as seem to be indicated in the question of the hon. and gallant Gentleman. On the other hand, it is quite clear that such a transaction as he describes is a fraud on the purchasers, injurious both to the poor in Ireland and to the dealers in genuine Scotch seed. Should information be given to the criminal authorities in Scotland of any specific case of such fraud occurring in Scotland, that information will receive due consideration, and should the facts be found to come within the legitimate scope of the Criminal Law, there will be every disposition on the part of the Scotch Authorities to aid in repressing this shabby and reprehensible practice.

Colonel NOLAN: Will the right hon. Gentleman instruct the police in Scotland to take action in the event of a breach of the law?

*Mr. J. P. B. ROBERTSON: The hon. and gallant Member may rely upon it that every precaution will be taken.

PURCHASE OF LAND (IRELAND) BILL.

*MR. KEAY (Elgin and Nairn): I beg to ask the Chancellor of the Exchequer what, in round numbers, will be the estimated capital value of the Sinking Fund created by the Purchase of Land and Congested Districts (Ireland) Bill on the 40th year of its operation if the full powers of lending, under Clause 6 (2), and re-lending under Clause 6 (3), are at once exercised, and if all the payments into the Sinking Fund under Clause 1 (2) are duly made, and the whole accumulated as provided by Clause 7 (4) but leaving out of account the uncertain elements of further increase to the fund, such as payments to it for redemption of Purchase Annuities and for purchaser's insurance money; what will be the estimated income of the Guarantee Fund for that year; what will be the estimated total of the Four per Cent. Purchase Annuities due to the Treasury from all the tenant purchasers, for the same year, if none have been redeemed; and does Her Majesty's Government intend that the Guarantee Fund shall provide for the payment of the whole of the Purchase Annuities if default is committed, or only of a part thereof; and if the latter, from what source is the remainder to be recovered by the Treasury?

MR. GOSCHEN: A Return is being prepared and will shortly be in the hands of hon. Members, which will substantially give an answer to the first three questions of the hon. Member. If he is not able to construct an answer for himself out of the Return, perhaps he will put a further question to me on the subject. With regard to the fourth paragraph, it is the intention of Her Majesty's Government that the Guarantee Fund shall provide for the payment of the whole of the Purchase Annuities if default is committed.

*MR. KEAY: When will the Return be presented?

MR. GOSCHEN: It is being printed, and will be in the hands of hon. Members in a few days.

LIGHT RAILWAY FROM MACROOM TO BALLYVOURNEY.

DR. TANNER: I beg to ask the Attorney General for Ireland whether any steps will be taken to carry out the proposed line of light railway between Macroom and Ballyvourney; and whether, owing to the failure of the potato crop and lack of labour in the district in question, active steps will soon be taken to promote this public work?

MR. MADDEN: I have made inquiry, but I cannot find that any light railway has been proposed between the places mentioned by the hon. Member in the first paragraph of the question.

DR. TANNER: If a proposal is made to the Government, will any active steps be taken in the matter?

MR. MADDEN: I am sure that every attention will be paid to the matter.

MARINE POLICE FORCE IN SCOTLAND.

MR. DUFF (Banffshire): I beg to ask the Lord Advocate what steps, if any, the Government propose to take to increase the Marine Police Force in Scotland, so as to enable them to enforce the bye-laws recently approved by the Secretary for Scotland, to limit the operation of trawlers, especially in the Moray Firth?

*MR. J. P. B. ROBERTSON: The Secretary for Scotland is in communication with the Admiralty and Treasury, with the view to concert measures to provide the necessary supervision.

ARDCHATTAN AND MUCKAIRN SCHOOL BOARD.

MR. CALDWELL (Glasgow, St. Rollox): I beg to ask the Lord Advocate whether he is aware that all the members of Ardchattan and Muckairn School Board have resigned, in consequence of the Scotch Education Department having placed on the annual grant list an Episcopal school at Bonaw Quarries; whether his attention has been called to the fact that the School Board, compelled by the Department, in 1886 erected a school on a site recommended to them by the Department, to accommodate children whose parents were engaged in Bonaw Quarries; and that in order to obtain this site a public inquiry was held by the Sheriff, followed by a Provisional Order, reference, and arbitration, at considerable expense, and now a burden upon the ratepayers; notwithstanding the facts that the Board School contains ample accommodation for all the children of school age in the district, and that, in order to improve the education, the School Board pensioned the previous teacher, and recently appointed a teacher holding first class certificates; how many children there are of school age in the district, whose parents are Episcopalians; whether any of these children attend the Board School; what are the numbers on roll and in average attendance in the Board school and Episcopalian school respectively; when, and under what circumstances, and for what reasons, was the Episcopal school placed on the annual grant list; and what steps the Department intend taking for the election of a new School Board, or for carrying on the educational work of the parish?

*Mr. J. P. B. ROBERTSON: I am aware that the School Board of Ardchattan and Muckairn have given notice of resignation on the ground stated. The Department is now in correspondence with the Board on the subject, and a reply from the School Board to a communication recently addressed to the Board has been promised. In these circumstances, and as it is most desirable in the interests of the district that an understanding should be reached, and that the difficulty which has arisen should be amicably settled, I must refrain from dealing at present with the argumentative question which the hon. Member has put to me.

BEHRING SEA FISHERIES.

Mr. GOURLEY (Sunderland): I beg to ask the Under Secretary of State for Foreign Affairs whether any reply has yet been received from the Government of the United States, in reply to Lord Salisbury's despatch of the 10th August, 1890, proposing a reference to arbitration of all disputes regarding the seizure of Canadian sealers and the capture of seals outside the three line limit in Alaskan Waters; if so, will he place the reply and further correspondence in the hands of Members; and if he is aware that, owing to the present system of indiscriminate capture of seals away from the neighbourhood of the breeding grounds, the number of seals killed in Alaskan Waters are reported to have fallen from 60,000 in 1889 to 21,000 in 1890?

The UNDER SECRETARY of STATE for FOREIGN AFFAIRS (Sir J. Fergusson, Manchester, N.E.): As was stated on Friday, a reply has been received. No further communication has yet been made by Her Majesty's Government, and it is not desirable to present the correspondence in an incomplete form. The accounts received by Her Majesty's Government as to the capture of fur seals in Behring's Sea during last season state that the condition of the weather was unfavourable, but that the seals were as plentiful as ever.

SELF-GOVERNING COLONIES.

Mr. HOWARD VINCENT (Sheffield, Central): I beg to ask the Under Secretary of State for the Colonies if it is a fact that the self-governing Colonies are now entirely free to enter into preferential fiscal arrangements with each other, and even against the United Kingdom, while the Mother Country is prevented by Treaties with Foreign Powers from negotiating any special commercial understanding with the Colonies; and, in such case, if the Colonial Office will urge the Board of Trade so to extend the Reference to the Departmental Committee now considering the Treaties of Commerce, that inquiry may be made as to the effect of such limitations upon the development of inter-Imperial trade?

The UNDER SECRETARY of STATE for the COLONIES (Baron H. de Worms, Liverpool, East Toxteth): I understand that the first part of my hon. Friend's question was discussed before the Trade and Treaties Committee on Friday last by deputations from the Agents General for the Colonies and the Imperial Federation League, including my hon. Friend; and, in these circumstances, the Secretary of State thinks it would hardly be courteous to the Committee to express at present any opinion on the matter, or to suggest that the Reference to the Committee should at this stage be extended. It is understood that the Report of the Committee may shortly be expected.

COMMERCIAL ARRANGEMENTS WITH COLONIES.

Mr. HOWARD VINCENT: I beg to ask the Under Secretary of State for Foreign Affairs if he can state whether either France, Germany, Spain, Portugal, or Holland, are debarred by Foreign Treaties from concluding any commercial arrangements with their Colonies, which may be deemed mutually advantageous; and if it is a fact that in France a Council is now sitting, with Colonial representatives, to discuss mutual trade and other questions; and that in the German possessions in East Africa a special preferential tariff has been adopted for German subjects?

SIR J. FERGUSSON: There are several Treaties, *e.g.* between France and Portugal, Spain and Germany, the Netherlands and Portugal, reciprocally guaranteeing most favoured nation privileges in their respective Colonies, subject to the reservations required by the special system to which those possessions are subject. It is the fact that a Council has been appointed in France with Colonial representatives in order to assist by their discussion the Colonial Administration. No special differential tariff has been adopted in the German possessions in East Africa.

ASIATIC TURKEY.

MR. LEVESON-GOWER (Stoke-upon-Trent): I beg to ask the Under Secretary of State for Foreign Affairs when the promised Papers relating to Asiatic Turkey will be presented to the House; and whether, with a view to the reported serious condition of Armenia, he will do his utmost to hasten their publication?

SIR J. FERGUSSON: I understand that the Papers were distributed on Saturday.

SAVINGS BANK CLERKS.

MR. PICKERSGILL (Bethnal Green, S.W.): I beg to ask the Secretary to the Treasury why the Order in Council of the 15th August last, relating to the clerks in the Savings Bank, was not published, and who is responsible for its non-publication; and whether there are any other instances during the last 12 months of Orders in Council relating to the Civil Service which have not been published; and, if so, what are the dates of such Orders?

*THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.): There is no obligation to publish Orders in Council except by special direction of a statute. The Order in question was not published, because the Treasury did not think it necessary that it should be. The Treasury is responsible, and acted in the exercise of its administrative discretion. Having looked into the question, and finding that the Order may affect 400 men, I should see no objection, if there is any general desire for the publication of the Order referred to, to giving instructions for its being published. There were two other Orders affecting the Civil Service in the last year, but they were of a general character.

MR. PICKERSGILL: May I ask whether the Treasury were requested by the Post Office not to publish a Report?

*MR. JACKSON: Not to my knowledge.

IRISH POTATOES.

DR. TANNER: I beg to ask the Attorney General for Ireland whether his attention has been called to the alleged statement of Mr. H. Gregory, recently appointed a District Inspector under the Seed Supply Act, in telling the rural Guardians of Limerick that hundreds of tons of Irish potatoes have already been sent over to Scotland to be again imported into Ireland as Scotch grown potatoes, and whether some attempt will be made to prevent stopping the supply of all seed not proved genuine?

MR. MADDEN: The Inspectors appointed under the Seed Potatoes Supply (Ireland) Act, 1890, recently warned all Boards of Guardians by circular that large quantities of potatoes were being exported from the North of Ireland to Glasgow. The District Inspectors were similarly informed. The Inspectors had previously required Boards of Guardians to insist that the districts in which potatoes tendered were grown should be stated in the form of tender. An Inspector was some time ago appointed whose special duty it is to endeavour to prevent any attempt to practise the fraud mentioned in the question, if any such attempt should be repeated.

THE MAGAZINE RIFLE.

MR. MARJORIBANKS (Berwickshire): I beg to ask the Secretary of State for War whether he will state the exact details of the improvements to be made in the Magazine Rifle in the new issue known as Mark II.?

THE FINANCIAL SECRETARY FOR WAR (Mr. BRODRICK, Surrey, Guildford): The changes proposed in Mark II. rifle are somewhat too technical to make it possible for me to explain them in answer to a question. It has been already stated that, except for the new magazine, they could all have been introduced during the manufacture of Mark I., but I may say that the main changes are in (1) the magazine, which will contain 10 cartridges, and will be much more easy to fill; (2) the foresight—experience having shown that for military purposes the Martini-Henry pattern is better than the Lewis; (3) the safety catch, which has been omitted; (4) the bolt-head and bolt-cover, which has been modified, and the screw abolished; (5) the weight of the rifle generally, which has been reduced.

INDUSTRIAL PROFIT SHARING.

MR. BARTLEY (Islington, N.): I beg to ask the President of the Board of Trade when the Blue Book on Industrial Profit Sharing will be issued?

*THE PRESIDENT OF THE BOARD OF TRADE (Sir M. HICKS BEACH, Bristol, W.): The Report will be presented this week.

RAILWAY SERVANTS—HOURS OF LABOUR.

MR. CHANNING (Northampton, E.): I beg to ask the President of the Board of Trade whether the Government propose to move the appointment of a Select Committee to inquire into the subject of overtime worked by railway servants?

*SIR M. HICKS BEACH: When I made a proposal on this subject on Friday evening I did not make it merely with the object of defeating the Motion, but because Her Majesty's Government believed it to be the best and most practicable way of dealing with this most important question. I hope that from the fact that this question is asked from the other side of the House, it may be assumed that the appointment of the Committee would meet with the almost unanimous assent of the House, and that, therefore, such a Committee may be appointed without further debate. That being so, I propose to put a Motion on the Paper to-morrow on the subject.

SIR W. HARCOURT: May I ask whether the right hon. Gentleman will put down his Motion for the Committee at such a time as will render it possible to make some observations upon the appointment of the Committee and the character of the reference to it?

*SIR M. HICKS BEACH: I am afraid I cannot hold out any hopes that the Motion will be put down in such a position as to interfere with the progress of any other business. Perhaps it might suit to put it down for to-morrow week, on the chance of there being some time on that evening. I rather hoped that, having regard to the discussion on Friday evening, the Government would be allowed to appoint the Committee without further delay.

SIR W. HARCOURT: Will it not be better for Her Majesty's Government to proceed by a Bill on their own responsibility?

*SIR M. HICKS BEACH: I understood that was the point which was decided on Friday.

THE DEATH OF THE DUKE OF BEDFORD.

MR. COBB (Warwick, S.E., Rugby): I beg to ask the Secretary of State for the Home Department whether, having regard to the fact that no report has appeared in the Press of the proceedings upon the inquest as to the death of the late Duke of Bedford, he will ask the Coroner to furnish to the Home Office a copy of the depositions taken at the inquest, and the names and addresses of the jurors? I also desire to know whether it is not the fact that no notice of any kind was given of this inquest on the list at the Coroner's office, as is usual in the case of all inquests?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): The Coroner has been good enough to send me the depositions in this case, and I am satisfied after perusing them that there is nothing to call for further inquiry or interference on my part, or to require that I should take the unprecedented course of asking for the names and addresses of the jurors. As to the last question, I will make further inquiry on the subject.

MR. PICKERSGILL: I should like to ask the right hon. Gentleman whether he will put this specific question to the Coroner; whether, in the usual lists of inquests exhibited at his office, the late Duke of Bedford was described as Francis Charles Hastings, without any indication of his rank or title?

MR. MATTHEWS: Certainly.

MEXICO - ARREST OF OFFICERS OF THE *SEAFORTH.*

MR. LLOYD GEORGE (Carnarvon District): I beg to ask the Under Secretary of State for Foreign Affairs whether he has any further information to convey as to the intentions of the Mexican Government with regard to the illegal arrest by their officers of the Captain of the *Seaforth*; and what action the Foreign Office propose to take in the matter?

SIR J. FERGUSSON: The last information received from Mexico respecting this case was dated the 18th of August. Her Majesty's Minister had applied for copies of the Judgment pronounced in the case by the Mexican Court. At present it appears that the master and owners have by Mexican law remedies of which they have not as yet availed themselves; and if that should prove to be the case there would not at present be any occasion for diplomatic action. Her Majesty's Minister has given his attention to the case, and it will receive such treatment as the circumstances may justify.

DISTRESS IN IRELAND.

COLONEL NOLAN: I beg to ask the Attorney General for Ireland if his attention has been drawn to resolutions by the Tuam and the Glanamaddy Boards of Guardians pointing out the want of employment and the consequent distress to be apprehended from the shortness of last year's potato crop in those districts; and if he will soon institute in these districts local works of the character described in the Relief of Distress Bill?

MR. MADDEN: The reply to the inquiry in the first paragraph is in the affirmative. The condition of the Unions in question is engaging the careful attention of the Government. But I am not in a position at present to enter into details.

MR. SEXTON (Belfast, W.): How soon will it be convenient to the Government to make a general statement as to the steps they have taken to relieve distress in Ireland?

MR. MADDEN: I understand it will be necessary to ask for a Vote in addition to the nominal sum already voted, and the taking of that Vote would be the most convenient occasion for my right hon. Friend to make a general statement as to the character and extent of the work undertaken.

MR. J. MORLEY (Newcastle-upon-Tyne): Would it be possible to lay on the Table of the House, before the Vote is asked for, the terms of the railway contracts?

MR. MADDEN: I will communicate with my right hon. Friend.

THE CORRUPT PRACTICES ACT.

MR. LABOUCHERE (Northampton): I beg to ask the Attorney General whether a political league violates the Corrupt Practices Act by providing free food and drink to voters at meetings called in support of a candidate, or where such candidate is present for the purposes of his candidature?

THE SOLICITOR GENERAL (Sir E. CLARKE, Plymouth): My hon. and learned Friend's reply is that the answer to the hon. Member's question depends upon the simple question of fact, whether there has been any intention of corrupting voters. No other general answer can be given, as the particular circumstances of each case would require investigation.

MR. LABOUCHERE: Assuming the facts to be correct, may I ask the hon. and learned Gentleman whether his attention has been called to the following statement, in respect to the action of a member of a School Board at a recent Parliamentary election: that this member of a School Board canvassed a person in the employment of the Board, in a building under the control of the Board, and threatened him with serious consequences if he did not vote for the Liberal Unionist candidate, and whether this conduct was contrary to the provisions of the Corrupt Practices or any other Act?

SIR E. CLARKE: My hon. and learned Friend's attention has not been called to the statement contained in the question of the hon. Member; but, assuming that threats were in fact used in order to induce or prevail upon the elector to vote for a particular candidate, such conduct would, in my opinion, be contrary to the provisions of the Corrupt Practices Act.

PROPOSED IMPERIAL CONFERENCE.

MR. OCTAVIUS V. MORGAN (Battersea): I beg to ask the First Lord of the Treasury whether Her Majesty's Government have formed an opinion as to the desirability of repeating at an early date their invitation to the self-governing Colonies to send representatives to a Conference with Her Majesty's Ministers, similar to that so successfully held in 1887, with a view to considering, among other matters of importance, a common fiscal arrangement, in the interest of the trade of the Empire, which will also provide the funds necessary for Imperial, as distinct from local defence; a proposal made in 1887 by the representatives of the Cape of Good Hope, and generally approved by the Conference?

MR. HOWARD VINCENT: I beg also to ask the First Lord of the Treasury if his attention has been directed to the recent speeches of Sir Charles Tupper, High Commissioner for Canada, and of Sir Gordon Sprigg, late Premier of Cape Colony, advocating the thorough examination of the possibility of establishing a commercial union within the Empire; and whether Her Majesty's Government will either recommend the appointment of a Royal Commission upon the subject, or will invite the Colonies to consider with the Mother Country the practicability of establishing a Customs Union, which shall make the Empire independent of Foreign nations, producing everything it wants, consuming everything it produces?

*THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): I am sure it will be seen that the questions involve considerations of high policy of very great importance; therefore it would be indiscreet and improper for me to give answers to questions of this character without the gravest consideration. It would be also difficult within the compass of an ordinary answer to a question to place the matter at all fairly before the House. I can only assure the House that our relations with the Governments of the Colonies are of a friendly and confidential character, and all questions affecting the interests of the Colonies and the Empire at large are receiving, and will continue to receive, the very serious consideration of Her Majesty's Government.

TEACHERS' REGISTRATION AND ORGANISATION BILL.

SIR RICHARD TEMPLE (Worcester, Evesham): I beg to ask the First Lord of the Treasury whether he will agree to refer to a Select Committee the Teachers' Registration and Organisation Bill, introduced by the hon. Member for the Evesham Division, and the Teachers' Registration Bill, introduced by the hon. Member for Rotherham?

*MR. W. H. SMITH: There will be no objection to refer the Bills of the hon. Members for Evesham and Rotherham to a Select Committee.

PORTUGAL.

SIR G. BADEN-POWELL (Liverpool, Kirkdale): I beg to ask, with reference to a statement in the *Siécle* newspaper which has been copied into the English Press, that the Portuguese Government has granted to the Mozambique Company a Charter whereby the latter will obtain exclusive rights over the territories between the Rivers Sabi and Zambesi, whether Her Majesty's Government recognise these territories as being within the Portuguese sphere of influence or Dominions; and has Portugal a right to grant a Charter over them?

SIR J. FERGUSSON: The Convention of August, 1890, not having been ratified by Portugal, Her Majesty's Government are under no engagement as regards the boundaries of the respective spheres of influence except the agreement in the *modus vivendi*, which will expire in May next, and under which we are bound not to perform any act of sovereignty, beyond the line fixed in the unratified Convention. We understand that the Portuguese Government are about to issue a Charter to the Mozambique Company. Her Majesty's Government could not recognise the application of such a Charter beyond that line; and recent events have made it improbable that Her Majesty's Government can be a party to any future Convention as favourable to Portuguese claims to the south of the Zambesi as that which Portugal failed to ratify. In these circumstances, my answer must be in the negative.

FISCAL RELATIONS BETWEEN GREAT BRITAIN AND IRELAND.

In answer to questions from Mr. T. W. RUSSELL and Mr. SEXTON,

MR. GOSCHEN said: Sir, great progress has been made in collecting statistics with reference to the fiscal relations between Great Britain and Ireland, and when the inquiries are complete I propose to move for the reappointment of the Committee on that subject. Considerable time is necessary, both for the collection of the statistics and for checking them by actual experience. I think that when the Committee meet they will agree that the time so used has not been wasted.

ROYAL COMMISSION ON TITHES.

MR. H. GARDNER: May I ask the President of the Board of Trade when the terms of the Reference to the proposed Commission on Tithe Rent-charge will be put upon the Paper? The First Lord of the Treasury has stated that the proposed Commission has nothing to do with the present Bill; but I can assure the right hon. Gentleman that the terms of the Reference will have a considerable effect on the action of hon. Members on this side of the House.

SIR M. HICKS BEACH: I am sorry to hear that, for I entirely agree with my right hon. Friend's statement that the Commission has nothing to do with the present Bill. I am not able now to give the hon. Gentleman the information he desires, but I hope to be able to do so on Thursday next.

RAILWAY RATES.

MR. COBB: May I ask when the President of the Board of Trade proposes to take any steps with regard to the inquiry on railway rates?

SIR M. HICKS BEACH: I have taken a good many steps on that subject. The next step will be to bring Provisional Orders, which are in course of preparation, before the House. I hope they will be ready before the lapse of any considerable time.

BUSINESS OF THE HOUSE—SUPPLY.

MR. SEXTON: May I ask the First Lord of the Treasury whether he has considered any arrangement for the regular conduct of the Supply of this Session?

*MR. W. H. SMITH: No, Sir; I have not considered any such arrangement other than that it will be my duty to afford the House full opportunity for discussion.

CITY OF LONDON PAROCHIAL CHARITIES.

MR. BRYCE (Aberdeen, S.): May I ask the First Lord of the Treasury at what hour of the night he proposes to adjourn Public Business, having regard to the Motion which stands on the Paper in the name of the hon. Baronet the Member for London (Sir R. Fowler) in reference to the City of London Parochial Charities?

*MR. W. H. SMITH: If the Motion of the hon. Baronet is postponed until tomorrow I think that a convenient hour may be found for bringing it on, so that all persons who desire to do so may have an opportunity of discussing it; I do not think that we ought to postpone the Tithe Bill this evening before the ordinary hour.

MOTION.

INDIAN COUNCILS ACT (1861) AMENDMENT (NO. 2) BILL.

On Motion of Sir John Gorst, Bill to amend "The Indian Councils Act, 1861," ordered to be brought in by Sir John Gorst and Mr. Jackson.

Bill presented, and read first time. [Bill 171.]

ORDERS OF THE DAY.

TITHE RENT-CHARGE RECOVERY BILL. (No. 110.)

COMMITTEE.

Bill considered in Committee.

(In the Committee.)

Clause 1.

*(4.12.) SIR J. SWINBURNE (Staffordshire, Lichfield): I beg to move an Amendment to the effect that the landowner shall be liable to pay the tithe rent-charge only in those cases where he has no existing contract to the contrary

with his tenant. I object to existing contracts being torn up in the interests of the tithe owner, and I ask the House, in dealing with this Amendment, to bear in mind the present depressed state of the agricultural and farming interest. No less than one third, or 33 per cent, of the gross rent is now expended by the landowner in repairs, agency, and incidental charges.

THE CHAIRMAN: The hon. Member is entering into matters which have nothing to do with the Amendment.

*SIR J. SWINBURNE: It is the only opportunity I have of bringing forward an argument to show the great depression under which agriculture is now labouring, and how ill-timed the present Bill is.

Amendment proposed, in page 1, line 6, to leave out from the word "be," to the word "lands," in line 8, and insert the words—

> "In the absence of any contract to the contrary between the owner and the occupier of such lands, be payable by the owner of the lands."—(*Sir J. Swinburne.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

*(4.15.) THE PRESIDENT OF THE BOARD OF TRADE (Sir M. HICKS BEACH, Bristol, W.): This Amendment seems to me to be directed exactly against the principle which this House has practically accepted—namely, that the owner of the land should be made directly liable for the payment of the tithe rent-charge, and that the occupier should be relieved from being distrained upon for a debt which is not his own. The Amendment, if carried, would also leave the law on the subject in an extraordinary state; but the first ground is sufficient to prevent my accepting the Amendment.

SIR W. HARCOURT (Derby): I wish to point out that in many cases the landlord contracts to pay the tithe rent-charge. The object of the Bill is to put the charge on the owner, which has been the original intention. I hope that my hon. Friend will not press the Amendment.

Question put, and agreed to.

(4.17.) MR. D. THOMAS (Merthyr Tydvil): I beg to move the Amendment which stands in my name, the effect of which is that the owner shall not be liable where an existing contract to the contrary has been entered into before the passing of the Act. The proposal is a very modest one, and I hope that the right hon. Gentleman in charge of the Bill will find it reasonable and practicable. The Bill as it stands affects existing contracts, as well as old ones, and it simply proposes that it shall not apply to contracts made before the passing of the Act. I do not think we ought to lightly set aside contracts without some public necessity is shown, and I venture to say that no case has been made out for doing away with existing contracts in this case.

Amendment proposed, in page 1, line 8, after the word "lands," to insert the words "unless the same shall have been entered into before the passing of this Act."—(*Mr. David Thomas.*)

Question proposed, "That those words be there inserted."

*SIR M. HICKS BEACH: I think that the hon. Member has failed to consider that the real difficulty arises out of existing contracts. I believe that, even under the law as it stands, where fresh contracts are made, the landlord usually undertakes to pay the tithe rent-charge. If the Amendment is agreed to there would be in the same country two different kinds of law applicable to tithe rent-charge. I cannot conceive that the Committee will be of opinion that this would be a good way of dealing with the question.

(4.22.) After some remarks from Mr. H. GARDNER, which were not heard in the Gallery,

(4.23.) SIR W. HARCOURT: I think that the Bill is right as it stands. The object is that the burden of the tithe shall be cast where it was originally intended to be—namely, on the owner. In the future it will be absolutely so. It would be very inconvenient to have the law in the state in which it would be left by this Amendment. The present Bill is, in my opinion, a great improvement on the old Bill in regard to the recovery of the tithe from the occupier, as now the landlord would only have the remedy which has been possessed by the original tithe owner; he cannot sue the tenant and recover on a judgment, nor can he make him bankrupt, or do many other things which have been objectionable in the previous Bill, nor is the tenant now to be liable for costs. My own belief is that where the owner of the land pays the tithe he very frequently does not recover the whole tithe from the tenant. In these circumstances I cannot support the Amendment which has been proposed.

*SIR J. SWINBURNE: If I remember rightly, when the Agricultural Holdings Act was passed it did not apply to existing leases; they had to run out before those farms came under the Act. This Bill has been brought in not for the benefit of the tithepayer, but of the clergy and tithe owners. Let us understand this Act of Parliament. Is it proposed that the tithe owner shall receive an increased value, and at the same time be relieved of the cost and trouble of collecting the tithe by making it a direct charge on the land?

(4.32.) MR. PICTON (Leicester): The hon. Baronet does not seem to realise that the object of this Bill is to keep the pecuniary burden on the occupier at precisely the same amount as it now is, but to save him and the tithe owner from the annoyance caused by the present system of collection. If the Bill should at all alter the pecuniary obligations of the tenants, I should not be prepared to support it. But it does nothing of the kind, and I therefore hope that it will not be pressed, or if it is, that the Committee will reject it.

*(4.33.) MR. G. OSBORNE MORGAN (Denbighshire, E.): This Bill as it stands, is more favourable to the occupier than that of last year. Under last year's Bill in an action between the landlord and the tithe owner, the occupier was not required to be served, and yet might be saddled with costs of the proceedings. He should only be made liable for the sum actually paid, by the landlord to the tithe owner.

*(4.34.) MR. MORTON (Peterborough): I should like to ask whether in a case in which there are several occupiers of one tithe field under existing contracts, the landlord would be able to make one occupier pay the whole tithe, or whether he must apportion it among all the occupiers?

*(4.35.) THE ATTORNEY GENERAL (Sir R. WEBSTER, Isle of Wight): That question scarcely arises out of this Amendment. The law is not altered in that respect. The Amendment merely refers to excluding from the operation of the Bill cases in which the tenants have at present to pay the landlords' tithe. No doubt the right hon. Gentleman the Member for Derby is entitled to credit for having pointed out objections to the Bill of last year.

Question put, and negatived.

(4.36.) MR. S. T. EVANS (Glamorgan, Mid): The next Amendment in my name is to omit the words, "unless it is otherwise agreed between him and the owner of the lands." This Amendment affects the recovery of the sum from the tenant by the landlord, and it is proposed by the words which I am about to move the omission of, to allow the landlord and tenant to so agree between themselves that the tenant may be liable to other remedies than those of distress. The right hon. Gentleman the Member for Derby has just said he is not willing to give any other remedies to the landlord than those now provided. But if these words stand, the effect will be that the landlord or his agent will immediately go to the tenant and say, "The Act of Parliament allows me to make a new contract with you. Will you kindly consent to an agreement whereby, instead of paying the sum as tithe, it will be added to your rent?" The Government seem to me not to object to setting aside contracts at all, when that is to the interest of the landlord or clergy, and now it is proposed to allow contracts to be entered into which may be beneficial to the landlord and prejudicial to the tenant. I fear that one effect of the retention of these words will be to deprive the tenant of the benefit of Sub-section 4 of the first clause, whereby he may be allowed to deduct any rates which he may have to pay in respect of tithe rent-charge. But it will have other worse effects. Suppose, to take a concrete instance, the tithe payable upon a farm is £25, the landlord would go to the tenant and say, "Instead of your paying the tithe I will increase your rent from £75 to £100." The effect would be that while the tenant would have to pay the increased rent, the landlord might not have to pay the tithe. At any rate, he would be able to keep in his pocket for months the money the tenant had paid in lieu of tithe. And again, the tithe might be reduced from £25 to £20, but still the tenant would have to pay the £25 rent which had been added to the old rent by the landlord. The landlord would reap the benefit of the reduction, and the tenant would not. Moreover, the tenant would be subject to all the remedies now afforded for the recovery of rent, instead of to distraint only, as in the case of tithe at present.

Amendment proposed, in page 1, line 13, to leave out from the word "unless" to the word "lands," in line 14, inclusive.—(*Mr. S. T. Evans.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

*(4.40.) Sir R. WEBSTER: I hope that the House will not agree to this Amendment. The position of matters seems to me to be favourable to the tenant who has contracted to pay the tithe, and the words really involve no hardship of any moment at all upon him. The position is this. The clause assumes that the tenant is under a contract to pay the tithe, that he does not pay it, and that thereby it is thrown upon the owner, and it enacts that the tenant shall be liable to the landlord a sum of money equal to that he ought to have paid in respect of tithe. The words the hon. Member wishes to leave out simply enable the tenant to come at once to a fresh arrangement with his landlord. He may come and say to his landlord, "Instead of my continuing my term at £100 a year *plus* the tithe, I agree to take it on at £115 a year, you paying the tithe." They are purely permissive words, and cannot be used against the interest of the tenant. Surely it is an advantage to a tenant to be in a position to get more satisfactory terms from his landlord. If I could see any means whereby the landlord would be in a position to put the screw on the tenant I would agree to the omission of the words. With regard to the suggestion that the effect of these words would be to deprive the tenant of the operation of Sub-section 4, I can assure the hon. Member that that section provides that where the occupier has been called upon to pay rates he shall be allowed the benefit of the Section. I think it better that these words should stand, as I am unable to see how they they can possibly work hardly on the tenant.

(4.43.) Sir W. HARCOURT: I hope my hon. Friend's Amendment will be carried, for this reason. As I understand the framework of this clause the subsection has this primary object: to make the landowner liable, and to secure that no new contracts shall be entered into which could obviate that. My hon. Friend's fear is that these words will allow of a new contract being made, and enable the landlord to press a disadvantageous contract on the tenant. But all that the sub-section will do will be to moderate the old contract, and not open the door to a new one. These words will, in any event, be mere surplusage, but they might by some persons be construed as if authorising some new contract in reference to the payment of tithe between landlord and tenant. Why should you open the doors to a new contract at all? I hope that Her Majesty's Government will accept my hon. Friend's Amendment.

(4.46.) Sir HENRY JAMES (Bury, Lancashire): If I thought these words had been introduced in the interest of the landlord, I should have been willing to support this Amendment. But if my right hon. Friend the Member for Derby will look at the first clause he will see that its object distinctly is that the liability for tithe shall be thrown on the landowner, notwithstanding any contract to the contrary. Therefore, I do not see how these words can be construed so as to allow the landlord and tenant to come to some agreement by which the owner will be relieved from the payment of tithe by casting the liability on the occupier. That construction is, I repeat, barred by the wording of the first clause, which says that the tithe shall be payable by the owner notwithstanding any contract to the contrary. The words may be regarded as surplusage, but in the interest of the tenant I think it would be well to retain them. Even if you omit them, there is nothing to prevent a landlord making an agreement with his tenant.

*(4.49.) MR. G. OSBORNE MORGAN: My reason for supporting my hon. Friend's Amendment is that the words, if retained, will enable the landlord to put the screw on the tenant; you may depend upon it that any agreement entered into would be to the advantage of the landlord and not of the tenant, and we should serve the interest of the latter better by keeping out the words.

*(4.50.) MR. SYDNEY GEDGE (Stockport): I think the words would be useful in cases where the landlord may be dead. In such cases, in the absence of any agreement, the executors would be bound to enforce the full payment whatever the private understanding between the parties may have been. And so in the case of the bankruptcy of the landlord; the assignee of the estate would have no option but to claim the full amount. I do not see how the landlord can be said to put the screw on his tenant when he is merely releasing him from an obligation.

(4.51.) SIR W. HARCOURT: The right hon. and learned Gentleman the Member for Bury says that these words are mere surplusage. If that be so, then I hope that the Government will yield to our apprehensions, and not be moved by the arguments of my hon. Friend the Attorney General. I am unable to appreciate his argument that if a man owes another a debt, no part of it can be remitted without agreement under an Act of Parliament. Under these words there may be an agreement with reference to the methods of recovery. But we want to close the tithe question as between owner and occupier, and these words seem to us to leave a door open for new agreements. Unless the Government attach vital importance to them, I hope they will strike the words out.

*(4.54.) SIR R. WEBSTER: I am utterly unable to see any means whereby these words can be construed otherwise than favourably to the tenants, for in the case of the landlord's death, or of bankruptcy, or in other cases where statutory consent is necessary to reduce the liability, the words will operate. I can assure my right hon. Friend that if anybody could point out a way in which a tenant could possibly be injured, I should be inclined to let the words go. But no one has pointed out a concrete case of injury to the tenant. We desire to make the Bill work fairly with the interests of the tenant, and we ask the Committee to let the words stand. I can imagine cases in which the words would be advantageous to the tenant.

*(4.56.) MR. S. T. EVANS: Take the case put of a farm on which the tithe rent-charge at the present time is £25. Suppose the landlord says—"I will add £25 to the rent; you will pay it not as tithe but as rent." Is not the tenant likely to be prejudiced by that? Why the tithe might be reduced to £20, but yet under his agreement he would still be paying £25 more than his rent. I do not think these words are, as the right hon. and learned Gentleman the Member for Bury said, surplusage. If they are surplusage, why not agree to omit them, but if they are not, then they will enable the landlords to put the screw upon the tenants. The Attorney General says the tenant need not enter into a fresh agreement unless he likes, but I submit that no opening should be left for such agreements to be forced on the tenant.

(4.57.) SIR JULIAN GOLDSMID (St. Pancras, S.): The question is—Is it desirable so to frame the Act that anybody may depart from its provisions? I think it is not, and for this reason: An agreement might be made between landlord and tenant that the latter should pay the tithe. But, as I understand it, the object of this Bill is that the landlord shall always pay, and I regret very much to think that anybody should even suppose that a tenant might go on paying. It is perfectly obvious that if a landlord desires to give his tenant more favourable terms, he can do it without any formal agreement. We constantly hear of remissions of rent being given to tenants; might not remissions of tithe be granted in the same way? I cannot help thinking that we had better omit the words. They are not necessary, and they might introduce an element of difficulty which nobody desires. I hope the right hon. Gentleman will carefully consider the objections which have been raised.

*(4.59.) SIR M. HICKS BEACH: I do not think my hon. Friend quite appreciates the effect of these words. They have nothing whatever to do with the question of the payment of tithe rent-charge and they would not enable

the landlord to get rid of his liability to pay. In the case assumed by the hon. Member for Glamorganshire the landlord has already power to give notice to quit to enable him to raise the rent, and therefore these words give him no greater power than he has already. I think the words will enable more favourable terms to be made in the tenant's interest than would be the case without it.

*(5.1.) MR. STUART RENDEL (Montgomeryshire): I dread very much any suggestion being made in this Bill that there is any occasion whatever for an agreement between landlord and tenant arising out of it. If there is no necessity for making such a suggestion, and if these words are deemed by high legal authority to be surplusage, I hope the Government will not put them in. One of the great objects of those who brought forward the Bill was to provide that there should be afforded as little opportunity as possible for the raising of difficulties between landlord and tenant. I hope that under the circumstances my hon. Friend will press the Amendment.

(5.3.) MR. F. S. STEVENSON (Suffolk, Eye): There is a very great danger that a new contracts might result in shifting the burden from the shoulders of the landlord to those of the tenant. A great portion of the farmer's capital is always sunk in the soil, and when he leaves he gets no compensation for it in spite of any Act that may be passed. This always places a certain lever in the hands of the landlord in dealing with the tenant. If you leave out these words you have a perfectly simple and definite statement of law, but if they are allowed to remain, to that simple and definite statement you add a provision which opens the door to future complications, the end of which it is impossible to foresee.

*(5.4.) SIR M. HICKS BEACH: I would point out that a fresh agreement might be made on this particular point without entering into the question of the contract on which the tenant holds his farm.

(5.5.) SIR W. HARCOURT: The more I hear this matter discussed the more I see of the danger to which attention has been drawn. Take a case in which the tithe rent-charge is £30, and a new contract is entered into under which it is agreed to take a payment of, say, £25. Supposing before the expiration of the lease the tithe rent-charge falls to £15, the tenant will still be bound to pay £25 although the landlord will only pay the £15. If no fresh contract could be made the landlord could only recover the £15 from the tenant, and yet you are going to allow a contract to be made which will enable him to recover £25. If you strike out the provision the tenant will never have to pay more than the landlord pays. I am not at all sure that under this clause the tenant might not be induced to agree to go on paying the owner what he has paid as tithe after the expiration of the lease. It is of course difficult at the moment to realise all the circumstances that might occur, but I do see a danger in opening the door to evils that may arise under a new contract.

*(5.7). SIR R. WEBSTER: With regard to one point that has been raised, the clause is distinct. It says, "Notwithstanding any contract to the contrary," which means any existing contract. The right hon. Gentleman had put forward an hypothesis in which the tithe rent-charge is £30, and the tenant agrees to pay £25. The right hon. Gentleman's assumption is that, although he pockets so large a reduction, he may have eventually to pay more than the landlord had to pay. The right hon. Gentleman, however, did not consider the quite as probable contingency of the tithe going up. This provision must, at all events in the first instance, operate in favour of the tenant, because the tenant would not be likely to enter into a contract unless it was to pay less than the amount of tithe due. It is a contract *primâ facie* in favour of the tenant, and I hope Parliament will give him power to enter into it.

*(5.12). MR. J. BRYN ROBERTS (Carnarvonshire, Eifion): I do not think the hon. and learned Gentleman the Attorney General has quite seen the force of the illustration put by my hon. Friend. The gist of the objection, I take it, is the possibility of adding this fixed amount to the rent rather than allowing it to remain in the nature of tithe. There is nothing to prevent the landlord saying, "Instead of your repaying me the tithe let us decide on a fixed amount, based on the average amount of tithe, and add that to the

rent." The retention of these words would enable such an arrangement as that to be made. The tithe would then, as between landlord and tenant, be converted into rent, and the landlord would have the like remedies for recovering it as for rent, including eviction in cases where there may be a right of re-entry on non-payment of rent. Such an arrangement, therefore, would practically repeal Sub-section 3, which says that such sum shall be recoverable from the occupier by distress, in like manner as provided by the Tithe Acts in regard to arrears of tithe, and not otherwise. The case put is not one where there is agreement to take a reduced sum, but a fixed sum. I put this to the Government. Further: It is apprehended from one point of view that these words would be injurious, and seriously injurious, to the tenant; it is conceded from the other point of view that they are surplusage. Why, then, cannot the Government omit the words, seeing that they are considered unnecessary?

(5.14.) SIR H. JAMES: I put it to the Government that they might permit these words to be struck out, seeing that from both points of view their retention is regarded as immaterial. If the section says that money is to be owed, if these words are struck out, the landlord and tenant can agree that it shall not be owed. If the Amendment is carried, the agreement can still be made—you do not prevent it by striking out the words. The landlord and tenant, if it be right, can still come to an agreement. My right hon. Friend, in asking for this, is asking for no protection for the tenant; the Government, in seeking to retain the words, are seeking no protection either for the tenant or landlord. We are discussing nothing, and if the words remain out or in, the fact of the voluntary agreement will remain still. If the Government agree that the retention of these words will not alter the law, would it not be better to allow them to be struck out, so as to ensure progress being made with the Bill?

*(5.15.) MR. C. W. GRAY (Essex, Maldon): So far as I see the tenant farmer will get no benefit from the words, consequently, I shall support the Motion to leave them out.

MR. PICTON: The matter of costs has been overlooked.

*(5.16.) SIR M. HICKS BEACH: I listened with great attention to the observations of the right hon. and learned Gentleman the Member for Bury (Sir H. James) in the first instance, because the matter appeared to be of a legal character. I thought the right hon. Gentleman was in favour of the retention of these words, but now I see he regards them as surplusage. Under the circumstance—as I do not attach very much importance to the words myself and as I am anxious to make progress with the Bill—I will consent to the words being left out.

Question put, and negatived.

*(5.17.) MR. J. BRYN ROBERTS: I desire to move an Amendment on the same point—before the word "owe" to insert these words "notwithstanding any agreement to the contrary." The words just struck out were surplusage, but is is necessary to prevent a landlord putting pressure on the tenant by increasing his rent, so as to bring it up to the estimated average amount of the tithe. Unless these words are inserted, such an agreement could be entered into, and thereupon Sub-section 3 would become of no effect whatever.

Amendment proposed, in page 1, line 13, before the word "owe," to insert the words "notwithstanding an agreement to the contrary."—*(Mr. J. Bryn Roberts.)*

Question proposed, "That those words be there inserted."

*(5.18.) SIR M. HICKS BEACH: I hope this Amendment will not be pressed. We had in our minds that the landlord and tenant might come to an agreement if they thought fit, and these words would prevent the landlord from agreeing to relieve the tenant of the payment, as the right hon. Gentleman the Member for Bury has explained can be done under the section as it stands.

Question put, and negatived.

*(5.19.) MR. SYDNEY GEDGE: I move, in line 14, to omit the word "owe," in order to insert the words "be liable to pay."

Amendment agreed to.

*(5.20.) MR. S. T. EVANS: I would now move to insert, in line 14, after the word "has," the word "properly." If this is not agreed to, a tenant might be called upon to pay a sum which the landlord might have improperly paid to the tithe owner.

Amendment proposed, in page 1, line 14, after the word "has," to insert the word "properly." — *(Mr. Samuel Evans.)*

Question proposed, "That the word 'properly' be there inserted."

*(5.21.) SIR M. HICKS BEACH: There might be litigation, if this Amendment were accepted, as to the propriety of a payment that a landlord might have made on account of tithe rent-charge. It can hardly be supposed that he would pay more than was due.

*(5.21.) MR. T. H. BOLTON (St. Pancras, N.): If the tenant were in arrear, say for three or four years, and the landlord chose to pay, could he recover the full amount from the tenant?

*(5.22.) SIR R. WEBSTER: The only remedy for recovery of tithe rent-charge is limited. There can be nothing recovered that is more than two years overdue. I fail to see what improper payment there can be by the landlord, especially when we remember that his remedy against the tenant is expressly limited.

*(5.23.) MR. S. T. EVANS: If the words stand as they are there is no inquiry whether the landlord has paid properly or not. Supposing the tithe owner, who may be a poor clergyman, has gone to the landlord and has said to him, "You will owe me tithe in six months; I am very hard up; give it me in advance." That, I think, would be a payment, and the landlord might forthwith make the tenant pay what was not due. At any rate, I do not see what danger there is in inserting the word "properly."

Question put, and agreed to.

*(5.27.) MR. S. T. EVANS: I have an Amendment on the Paper to leave out "exclusive of" in line 15 in order to insert "but shall not be liable to pay." I will not move it, however, if the Attorney General thinks the words "exclusive of" better express the intention.

*(5.27.) SIR R. WEBSTER: I think those words would be better in the interest of the tenant.

*(5.28.) MR. S. T. EVANS: Is it understood that in no case shall the landlord's costs be recovered from the tenant?

*SIR R. WEBSTER: Yes.

*(5.28.) MR. MORTON: I beg to move, in page 1, line 16, after the word "rent-charge," to insert—

"Provided that in case there are several occupiers in any tithe-field the landlord shall divide the tithe rent-charge among the said occupiers according to the rent reserved by him."

I understand the Attorney General to say that the law as to collection will remain the same under the Bill as it is now. At this moment where there are several occupiers in a tithe-field each occupier is liable for his neighbour's tithe. I can give instances where the law has been put in force in that direction in large cities, and has led to something like a riot. At Streatham, I remember, the rector of the parish endeavoured to make a man who occupied perhaps the fiftieth part of a field pay the whole of the tithe. I do not know what was the upshot of it, but there was a great deal of excitement in the neighbourhood, and it does appear to me that, now that you are dealing with the question of tithe, you should take the opportunity of making the law fair to occupiers. I cannot see why the Government should not provide in the Bill that the landlord shall in each case divide the tithe according to the rent on each parcel. When the owner puts in a distress because one occupier cannot pay, he says, "You have your remedy by making your neighbours pay their share." But it will be found that there is difficulty in a man's making his neighbours pay, because practically in most cases the expense makes the remedy impossible. I myself have gone to agents of tithe owners, and have said, "Why don't you collect the tithe from the parties from whom it is due?" and the answer has been, "Because we have the power to make one person pay, and we go to the one whom we know to have the most valuable goods." I may say that I have heard more cursing and swearing and more harsh language used towards the Church with regard to this mode of collecting the tithe from a single occupier than in regard to any other subject.

Amendment proposed, in page 1, line 16, after the word "rent-charge," to insert the words—

> "Provided that in case there are several occupiers in any tithe-field, the landlord shall divide the tithe rent-charge among the said occupiers, according to the rent reserved by him."—(*Mr. Morton.*)

Question proposed, "That those words be there inserted."

(5.34.) SIR R. WEBSTER: I must point out that the hon. Member is really mixing up two completely different matters. This clause deals with the liability to the tithe, and has no reference at all to the tithe owners. If he desires to alter the law whereby the tithe owner can recover the whole of the tithe from any one of the tithe owners of a field or of several fields, he must do so by a separate section. It is impossible to engraft on this section any Amendment of the kind.

*MR. G. OSBORNE MORGAN: I think, with the hon. and learned Gentleman the Attorney General, that it would be better for the hon. Gentleman to endeavour to deal with this matter by a new clause.

*MR. MORTON: I shall have no objection to do so if that be deemed the proper course; but I hope the Government will give the matter their consideration.

Amendment, by leave, withdrawn.

*SIR J. SWINBURNE: I beg to move the Amendment which stands in my name—namely, in page 1, line 17, to leave out the words "such sum," and insert the words "tithe rent-charge."

*SIR M. HICKS BEACH: I would point out that this is merely a Consequential Amendment, which is inappropriate in this place.

Amendment, by leave, withdrawn.

*(5.38.) MR. SYDNEY GEDGE: I now have to move as an Amendment to this clause, in page 1, lines 17 and 18, to omit the words "by distress," in order that I may hereafter move the insertion of the words "if it were rent in arrear;" so that the sub-section would then read thus—

> "Such sum shall be recoverable from the occupier in like manner as if it were rent in arrear."

The case we are dealing with is, where the occupier has made himself liable to the owner by covenant to pay the tithe rent-charge. It has nothing to do with the question between the occupier and the tithe owner. The tenant not having paid the money, the landlord has done so, and he has to recover it. As the law stands, if the tenant fail to pay the tithe rent-charge, and the landlord has done so, the landlord can sue him for breach of covenant, and compel him to refund the money so paid. No reason has been shown for taking this right from him. One of the objects of the Bill is, that the tenant may not feel that he is paying the tithe rent-charge as such. A large number of the farmers do not object to pay a larger rent out of which the tithe rent-charge is paid, but they object to pay a tithe rent-charge as such in any case whatever. Indeed, some of them have made vows that they will, under no circumstances, ever pay the tithe rent-charge, and it is one of the objects of the Bill to get rid of this feeling. It is put as a matter of contract between the tenant and the landlord, and it is undesirable that the landlord should be obliged to distrain for the amount so paid as a separate thing. It would also be unfair that where the tenant has broken his contract the landlord should not be able to get damages for the breach as he does now. I hope the Government will accept my Amendment.

Amendment proposed, in page 1, lines 17 and 18, to leave out the words "by distress."—(*Mr. Sydney Gedge.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

*(5.41.) SIR R. WEBSTER: It seems to me that we cannot possibly accept the proposal of my hon. Friend, although doubtless there is a great deal to be said in favour of the view he puts forward. I am one of those who did not agree with the right hon. Gentleman the Member for Derby, that it was unjust that the tenant should be liable in respect to the non-payment of tithe in the same degree as in respect to the non-payment of rent. But when you have shifted to the landowner the responsibility for the tithe, our view is that you ought to give him the same remedy against the tenant as he now possesses. After what I said a

few minutes ago, I could not accept the Amendment of my hon. Friend.

SIR W. HARCOURT: This is certainly one point on which I took strong objection to this Bill, my ground being that it places the tenant in a worse position than before; that is to say, he will be liable to other and stronger remedies than at present in respect of the amount payable for tithes. I am glad Her Majesty's Government have made a concession on this matter. The hon. Member opposite would, however, overthrow this, and expose the tenant to being sued and pursued by other and different methods to those that are now adopted, thereby lessening his present position and rendering the law much more oppressive than before.

*MR. SYDNEY GEDGE: At the present moment the tithe owner may distrain on the tenant's property for the amount of the tithe rent-charge, and not only so, but for the amount of the whole of the charge on land not in the occupation of the tenant. He is also under the liability, if he does not pay, of an action for damages for breach of covenant, and that is where I leave him.

*MR. S. T. EVANS: I would point out that if the Amendment of the hon. Member be carried, the landlord may distrain in respect of the tithe rent-charge on the dining-room furniture or any other chattels of the tenant, which he cannot do now.

*MR. T. H. BOLTON: Under the proposal of the hon. Member for Stockport, it may be that the tenant will be committed to gaol. If he be sued in the County Court and does not pay, and the County Court Judge thinks he ought to pay, he may be committed to prison. Therefore, I regard the Amendment as a most objectionable one, and as altogether opposed to the understanding come to some time ago.

*SIR M. HICKS BEACH: I hope my hon. and learned Friend will not press the Amendment to a Division. The matter is one which we carefully considered, as we thought that the tenant ought not to be placed in a worse position than that in which he had voluntarily placed himself. It was for that reason that we accepted the principle of the Amendment which the right hon. Gentleman opposite thinks of so much importance. I do not think it so important as he does, because the whole matter is temporary and only applies to existing contracts, and if the landlords or tenants wish to get out of them they can give notice to terminate them.

Amendment, by leave, withdrawn.

*(5.45.) MR. S. T. EVANS: I beg to move, in page 1, line 19, at the end, to insert the words—

> "But such sum shall not be recoverable until three months after the owner has served on the occupier a written notice specifying the amount so paid by the owner, and to whom, and the date of payment thereof."

I think the Amendment is a very reasonable one, and I hope the Government will see their way to accepting it. I would point out that by Clause 2 this indulgence is given to the landlord, who is allowed three months in which to pay. If my Amendment is not carried, then I suppose the landlord is to be treated differently to the tenant, and that, I think, ought not to be the case. I remember that last year Lord Brabourne said that it was the universal custom to allow the tenants three, six, or even nine months in which to pay their tithes. I think the Amendment a reasonable one, and that it ought to be accepted by the Government.

Amendment proposed, in page 1, line 19, after "otherwise," to insert the words—

> "But such sum shall not be recoverable until three months after the owner has served on the occupier a written notice specifying the amount so paid by the owner, and to whom, and the date of payment thereof."—(*Mr. S. T. Evans.*)

Question proposed, "That those words be there inserted."

*SIR M. HICKS BEACH: The alteration proposed is in favour of the tenant, who would not be liable to pay the charge. At present he is allowed 21 days in which to pay the tithe; but now that it is proposed that the owner shall pay it, the hon. Member asks that the occupier shall be allowed three months to meet his liability to the owner.

*MR. S. T. EVANS: Why should the landlord have it in Clause 2?

*SIR M. HICKS BEACH: That is a question to consider on Clause 2.

SIR W. HARCOURT: As to the question of the tenants not having notice, I would call my hon. Friend's attention to Sub-section 5 of Clause 2—

"Where the occupier of the lands out of which the tithe rent-charge issues is liable under any contract made before the passing of this Act to pay the tithe rent-charge, and is consequently liable by virtue of this Act to pay the amount thereof to the owner of the lands, he may serve notice of such liability on the owner of the tithe rent-charge, and thereupon before an order under this section is made, there shall be such service on and hearing of the occupier, in addition to the owner, as may be prescribed."

It strikes me that is a protection, because the tenant cannot be called upon to pay unless notice is served.

*MR. S. T. EVANS: I do not think it is, because that sub-section is only to apply to proceedings in the County Court. It says so—"That before an order is made by the Court notice must be given." I do not think the sub-section meets the provision which I want to insert.

SIR M. HICKS BEACH: The hon. Member will recollect that the tenant must be aware of his liability.

(5.54.) The Committee divided:—Ayes 99; Noes 172.—(Div. List, No. 14.)

*(6.2.) MR. MORTON: The Amendment I desire to move is to provide that implements and animals used in land cultivation should be exempted from distress. It may be said, of course, if the owner has to pay the tithe, the occupier who uses the implements and animals may not have much to do with the matter; but there are, at this moment in the country, a certain number of small freehold occupiers who would be affected in this way, and I believe we all hope that in the future there may be more freehold occupiers of small farms than there have been in the past, and the future operation of this Bill may affect a great many persons. At the present time, as the law stands, a workman's tools and various other articles are exempt from the process of distress, and all I wish to do is to put these small freeholders in the same position as regards distraint. I observe that under the old law, or custom, you could not put a distress upon beasts used in tillage, and so it came to my mind to ask the Government to accept this Amendment, as I hope they will.

Amendment proposed, in page 1, line 19, after "otherwise," to insert the words—

"Provided that implements and animals used in cultivating the land shall be exempt from such distress."—(*Mr Morton.*)

Question proposed, "That those words be there inserted."

*(6.5.) SIR R. WEBSTER: I hope the hon. Member will not press this Amendment. In the first place, I may point out, there is no necessity for it, but my principal objection is, it is quite impossible to alter the remedy for the collection of tithe without a much fuller discussion of the law of distraint from a complete point of view. At the present time beasts for tillage can only be taken when there is no other means of distress. Certain rights are given to the occupier, and the same law prevails in this as in other forms of distress. I do not think the hon. Member has shown a sufficient reason why here there should be a deviation from the general law, and I have never heard a demand for the alteration in the general law.

*(6.7.) MR. MORTON: I do not agree that it is an alteration of the general law of distress, because all I want to do is to put small farmers who are freehold occupiers on the same footing as workmen in other trades. I do not wish to detain the Committee, but I think it is my duty to take a Division.

*(6.8.) MR. G. OSBORNE MORGAN: I hope the hon. Gentleman will not do that. It is only a partial alteration, and it can only apply temporarily. On the general principle perhaps something may be said, but not certainly on such a clause as this.

Question put, and negatived.

Clause 1 agreed to.

Clause 2.

*(6.9.) MR. SYDNEY GEDGE: I hope the Government will accept the Amendment of which I have given notice, to strike out the words "three months" and insert "21 days." I am looking at the matter not from the point of view of the parson alone. I am supposing that the tithe is the property of the nation, and will ultimately fall into the nation's hands; the question simply is in regard to a just debt—how and when it shall be recovered. At present, if the tithe-payer does not pay his tithe, a distress can be levied in 21 days. The Bill does

away with one remedy and provides another, but it postpones the operation of that remedy for three months. Now, the remedy is in itself a slow remedy. Application must be made to the County Court, and a day has to be fixed for hearing, and the remedy then determined, and, in fact, the tithepayer will get a great deal of delay he has not at present, and in certain cases this will operate with considerable hardship on the man entitled to receive the tithe. For instance, tithe being due in July, he can take no proceedings for three months, and that brings him to the vacation, and the hearing is put off to the next sitting of the Court. So, practically, it may be four or five months before the tithe owner can apply the remedy to get the amount justly due to him; and he gets no interest meanwhile. I really do not see why there should be this long interval. In other cases a man can take proceedings at once when the debts are due, and though people do not do so, that is because it is pleasanter to use a little patience and persuasion before taking proceedings. The same course surely might be pursued in the case of tithe rent-charge, and there is no reason why there should be a statutory limitation barring proceedings for three months.

Amendment proposed, in page 1, line 28, to leave out the words "not less than three months," and insert the words "twenty-one days."—(*Mr. Sydney Gedge.*)

Question proposed, "That the words 'not less than three months' stand part of the Clause."

(6.11.) SIR ROPER LETHBRIDGE (Kensington, N.): I join in entreating the Government to accept this Amendment. May I point out to the Committee that the argument which was used with unanswerable force by my right hon. Friend the President of the Board of Trade in the earlier part of the Debate applies *totidem verbis* to this Amendment? Why should longer credit be given to landowners in regard to the payment of tithe than has been given hitherto to occupiers? I fail to see why landowners should have longer credit; why they should have a period of six months, within which no action shall lie; while the occupier has only 21 days. Further, let me point out, the question as to length of notice required, really concerns only those cases of tithe where it is undoubtedly a fact that the tithe is justly due and recoverable; for in any other case, in a case where ultimately it is shown the tithe is improperly or unjustly claimed, it really matters not two straws whether the claim is brought to hearing in three months or in a year, because when it is brought to hearing, it will be disposed of, no payment will be made, and no harm will have been done. But this concerns cases where tithe is actually recoverable as a just debt, and surely no more is required than a reasonable time, so that a person who intends to pay his debt may not be put to the hardship of being called upon at a moment's notice to make the payment, or be visited with penalties for not doing so. I trust it is not the intention of the Legislature to inflict such a hardship upon the owner of the tithe as to compel him to wait three months before he can take proceedings to recover that which is justly due to him. We know that would mean a considerably longer time before payment could actually be realised. Probably it will come to this: that three months will be regarded as the legitimate time within which payment is actually due and ought conventionally and customarily to be paid. In many cases this would be a serious hardship. In the case of a large number of owners of tithe a considerable portion of their income is derived from this source, and to pass the clause in its present shape means that a certain portion of the community will be deprived of their debts justly due for an appreciable portion of time during which no interest shall accrue.

*(6.18.) SIR M. HICKS BEACH: It is a mistake to suppose that this Amendment is on all fours with that of the hon. Member for Glamorganshire. We are imposing a new liability on the landlord, and therefore it is obviously reasonable that any difference in his position as compared with his liability under his present position ought to be fairly considered. What is the difference? As a general rule, the landowner does not obtain his rent for, at any rate, three months after the period at which it is due. That is a point which surely my hon. Friends be-

hind me, who have spoken on behalf of the tithe owners, ought to take into consideration. You are imposing a liability on the owner of land to pay a certain sum. You ought, in fairness to him, I think, not to enable the tithe owner to proceed against him for non-payment until a reasonable time has elapsed to enable him to obtain the money to discharge that liability. Well, the extension from 21 days to three months has been, I think, in all Tithe Rent-Charge Recovery Bills submitted to the House. I observe that some hon. Members think the period insufficient, and that it should be extended to six months, and that seems to indicate that we have adopted a happy medium, and that three months is a term that commends itself to those who consider the matter from both sides. I believe it is not the custom for any tithe owner to expect or to receive payment of tithe until at least two months after it is due. Speaking from my own experience, being a considerable tithepayer, the tithe owners are never so harsh as to exact payment before that time. I believe this is a general custom throughout the country. There may be some delay owing to the fact that the question will have to be brought before the County Court; but, on the other hand, remember the sittings of the County Court are more frequent than my hon. Friend the Member for Stockport supposes. At any rate, they do not indulge in a long vacation, as he suggested; and therefore if the tithe rent-charge is not paid in three months, I do not think a very long period will elapse before the tithe owner may take proceedings.

*(6.21.) MR. G. OSBORNE MORGAN: I suppose the right hon. Gentleman referred to me, for I have put down an Amendment to make the period six months, believing three months not sufficient. The object of interposing delay is two-fold, first, to give the landlord an opportunity of receiving his rent, and I should have thought that on the average a landlord would be exceedingly lucky to get his rent within six months; and further, to give the parties an opportunity of settling the matter amicably, or, as the hon. Member for Stockport said, pleasantly. I am sure we must all deprecate hasty hostile proceedings, and I think that 21 days for the purpose of settlement is manifestly too short a period. There need be no apprehension as to the length of time required for recovery, for, as a matter of fact, County Courts have no long vacation, and they sit every month except in September.

(6.23.) MR. H. T. KNATCHBULL-HUGESSEN (Kent, Faversham): I hope the Government will agree to limit the period. There can be no doubt that the result of the Bill, whatever else it may be, will not be to lead to an increase of the income of the tithe owners. Indeed, to some extent, it will diminish it; and I fail to see why we should go out of our way to impose a greater burden upon them to place more difficulty in the way of their collection of their income. I do not think it has been sufficiently placed before the Committee that there are a number of the poorer clergy who are entirely or mainly dependent on tithe for their subsistence. These poor clergy have their household bills to meet, and if you keep them out of possession of their tithe for three months they will have to borrow money and pay interest for it, while for the delay in payment of tithe they will receive no interest. I hope the Government will see their way to modify the Bill, and allow some less period than three months.

*(6.25.) SIR J. SWINBURNE: Upon agricultural holdings rents are frequently allowed to run half a year, and not collected, perhaps, for six weeks or two months after that, so that really the landlord gives a credit of eight months. I am a tithe owner, and I know that my tithes are not paid more than once a year, so for six months they are running. Here we give every possible advantage to the tithe owner. We make the tithe easy of collection; we make it a first charge upon the land; whereas now it is a charge on the produce of the land, and I think it is only reasonable that tithepayers should have at least six months for payment. Landowners will have to pay rates for the tithe owners in advance, and it is right they should have some consideration in return. There is no doubt this Bill will double the value of tithe. From 12½ years' purchase it will become worth 25 years' purchase, and the least concession we can make to tithepayers is to allow them six months to pay in.

*(6.27.) MR. C. W. GRAY: As I had something to do with trying to induce the Government to propose this change, which the landlords of the country have accepted, placing a large responsibility on their shoulders, I may be allowed to express an opinion that the landlords have some claim in return. In the Eastern Counties it is the custom for landlords to collect the Michaelmas rent in January, and the Lady Day rent in July, and sometimes later than that. That is all very well when the farms are in a prosperous condition, and when the tenants are able to pay the rents are collected, but I know farms where 12 months' and 18 months' credit has to be given. This is not because the landlord likes it, but because it is Hobson's choice with him; he must wait until the tenant can scrape the money together, or he must be content to have the farm vacant on his hands. Under all the circumstances, and considering the enormous responsibility the landlords of England have accepted for the benefit of tithe owners, I do hope that if any alteration is made in the terms of this clause, it will be in the direction rather of extending than of restricting the credit. As the clause stands, I think a happy medium has been reached.

*(6.29.) MR. T. H. BOLTON: I think hon. Members are making too much of this point. Under the present system collection is seldom made under three months. The 21 days' notice is a sort of penal notice which is given preparatory to distress; but in practice, when the tithe becomes due the tithe owner waits a month or two before applying for payment, and if payment is not made, then follows the 21 days' formal notice prior to distress. This notice is considered to be of a penal character; it involves a payment of 2s. 6d., and it is only resorted to after previous application has been made for payment. This is the invariable custom. The three months' period is a reasonable compromise on the existing system, and I hope the hon. Member will not consider it necessary to press the matter further.

(6.30.) MR. H. R. FARQUHARSON (Dorset, W.): I hope the Government will stick to their guns. Considering the advantage given to the clergyman, I think he ought not to expect payment on the nail, but that he should be content to wait three months.

(6.31.) MR. LLOYD-GEORGE (Carnarvon, &c.): I think it would be difficult to recall a single case in which a clergyman has thought proper to institute legal proceedings, by distraint or otherwise, when tithe has not been in arrear for more than three months. Suppose, for instance, 21 days is substituted for three months, and the clergyman thinks proper to avail himself of the substitution, what will be the result? Irritation will be caused, and far more harm done to the Church, in whose interest this Bill has been brought in, than the reverse. I think it would be far better to leave the clause as it stands.

*MR. TALBOT (Oxford University): I think the balance of the argument is on the side of my hon. Friend who moved the Amendment. Yet, on the whole, I would advise him not to press the Amendment to a Division. I tender the advice on the ground that this Bill is essentially a Bill of compromise and conciliation. It is a Bill for the settlement of a long-vexed question, and we can never settle any vexed question unless there is a certain amount of give and take. There can be no question that if this Bill is passed it will put the tithe rent-charge on a firmer and more solid basis than it has hitherto occupied, and that is a very desirable consummation. I believe the tithe rent-charge will be paid as regularly and punctually as before—perhaps more so—and if so, whether the tithe owner has to wait for payment three weeks or three months is not very material. We have all of us to wait for payment of debts, and I suppose the tithe owner must wait like other people.

(6.34.) MR. GARDNER (Essex, Saffron Walden): I sincerely trust the Government will stick to their Bill in this respect. Although the hon. Gentleman (Mr. Talbot) said the balance of the argument is in favour of the Amendment, he did not give any reasons for his belief. But I rose principally to demur to one statement of the hon. Gentleman, and that was that this is a Bill of conciliation and settlement. I assure him that, in the opinion of many of the tithepayers of the country, this is not a Bill of conciliation or settlement in any sense of the word, nor will the tithepayers accept any measure as one of conciliation and settlement that does not involve some equitable distribution of the tithe rent-charge.

*(6.35.) MR. SYDNEY GEDGE: If this Bill were going to conciliate people all round, I should be happy to give way; but the hon. Gentleman has just told us it will do nothing of the kind. I do not feel disposed always to give and never to take, and therefore I cannot withdraw my Amendment.

Question put, and agreed to.

*(6.36.) SIR J. SWINBURNE: I move to leave out "whatever is the amount," in line 29, and insert "where the amount due is over five pounds, and does not exceed fifty pounds." Considering the very great advantage the tithe owner gains under this Bill I do not think he ought to be able to go to the County Court unless the amount is over £5. The hon. Member for the Oxford University has spoken about concession, but it appears to me that the concessions are all on one side.

Amendment proposed,

In page 1, line 29, to leave out the words "Whatever is the amount," and insert the words "Where the amount due is over five pounds, and does not exceed fifty pounds."—(*Sir J. Swinburne.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

*(6.37.) SIR M. HICKS BEACH: The Amendments of the hon. Member would leave the law in a very remarkable state. Under them the tithe rent-charge would be recoverable by distraint, under the existing law, on the occupier when it was under £5 or above £50. The hon. Gentleman excludes the tithe rent charge under £5 and above £50 from the purview of the County Court, and therefore I am reduced to the belief that he intends to retain the existing law. I utterly fail to understand how the hon. Member would recover from the owner who does not occupy his own land.

Question put, and agreed to.

*(6.38.) MR. S. T. EVANS: I beg to move, in page 2, line 3, after the word "owner," to insert the words "and occupier." I understand the Attorney General has been considering whether he can agree to the insertion of these words. My reason for proposing the Amendment is that the occupier is to be bound by proceedings which are conducted in his absence. Under the 5th Sub-section the occupier is to give certain notices before proceedings are taken, but if he does not receive notice how can he give notice under the 5th Sub-section? I do not think the occupier ought to be bound by anything which takes place in his absence, and therefore I hope the Attorney General will see his way to the acceptance of the Amendment.

Amendment proposed, in page 2, line 3, after the word "owner," to insert the words "and occupier."—(*Mr. S. T. Evans.*)

Question proposed, "That those words be there inserted."

*(6.40.) SIR R. WEBSTER: I have not a particle of objection to the insertion of these words, if it is really thought it is desirable to insert them, but after the best consideration I do not think it is desirable. This matter must be considered together with Sub-section 5. The general case is this: Land is held. The landlord or owner is responsible for the tithe in the first instance. The tenant will never have to pay tithe so far as the tithe owner is concerned, but what will happen will be this: if the tenant owes rent, and a receiver comes to him and says, "Your landlord owes the tithe owner so much money," the occupier, under Sub-section 5, will have to pay his rent to the receiver. In that case I have not been able to appreciate—and I have discussed this with the hon. Member—any case in which the occupier could wish to go through the Court at all, because he has nothing to do with the dispute. All he will have to do is to pay his rent to the receiver instead of to his landlord. It seems to me the Amendment would increase the cost in every case without the slightest reason. Then take a special case. Under Sub-section 5 we have provided that in every case where the occupier is liable to pay he shall have such hearing as is necessary in order to protect his own interests. That necessitates the occupier, who is under terms, by his contract, to pay to give notice to the tithe owner. But

that would equally apply in case he had notice under the sub-section. The tithe owner cannot tell the cases in which the occupier is liable, and in which he is not liable. The Amendment would increase the costs, and although the increase would be small I think it ought to be avoided.

*(6.45.) MR. S. T. EVANS: We only want to protect the occupier from being prejudiced. So far as costs are concerned, there need be no additional cost, or, if there is, it need not amount to more than 1s. for the service of the notice. With regard to the bearing of Sub-section 5 upon the matter, I think the difficulty which would arise might be got over by the acceptance of my Amendment to Sub-section 5, which provides that instead of the occupier, the owner should give the notice. Let me also point out that before an order could be got under the proceedings a month might elapse. During that time the landlord, if he desired, might get the tenant to pay him any rent which happened not to be paid; but if notice was given to the occupier at the commencement of the proceedings the money would be tied in his hands until the proceedings were concluded.

*(6.47.) MR. G. OSBORNE MORGAN: On the former Bill I pointed out that where the occupier is liable——

*SIR R. WEBSTER: The Amendment does not deal with a case in which the occupier is liable.

*MR. G. OSBORNE MORGAN: I pointed out that where the occupier is liable it would be unfair that the landlord and tithe owner should be able to settle the question without any service on the occupier, which would have been the effect of the old Bill. It seems to me the Government have met the case fairly by Sub-section 5, which gives the occupier who is liable the opportunity of serving notice, and in that way being heard. If the Amendment is carried it would be necessary in every case, whether the occupier is liable or not, for the occupier not only to be served, but to be heard. That seems to be a little unreasonable and unnecessary. I trust the hon. Gentleman will not press his Amendment.

*(6.50.) MR. SYDNEY GEDGE: I can hardly understand anything more hard on the poor occupier than the Amendment of the hon. Gentleman. What are these occupiers? Many of them are ignorant people. ["Oh, oh!"] I do not mean ignorant of the three R's, but ignorant of the provisions of Acts of Parliament. A poor widow, for instance, may be served with a notice, and she will have to attend, or pay a solicitor to represent her, although she may not have the slightest interest in the question. Why should you give a person in such a position the trouble of having a notice served upon her which will frighten her out of her life?

*(6.51.) SIR M. HICKS BEACH: We entirely agree with the views of the hon. Gentleman opposite, and if he can withdraw his Amendment now and can suggest to us any case which is not covered by Sub-section 5, but can be included in it, we shall be very glad to consider it.

*MR. S. T. EVANS: I will fall in with that proposal.

Amendment, by leave, withdrawn.

(6.52.) SIR ROPER LETHBRIDGE: The object of the Amendment I have placed on the Paper is very clear, and I think the Committee may at once proceed to a decision upon it. I take it that it is not the intention of the Government to encourage litigiousness. If the Government will not consent to the words I propose, I can only imagine that some other means will be provided by which the cost of recovery will be added to the tithe where it is found to be recoverable.

Amendment proposed in page 2, line 5, after the word "due" to insert the words "together with the cost of recovery."—(*Sir R. Lethbridge.*)

Question proposed, "That those words be there inserted."

*(6.53.) SIR R. WEBSTER: I hope the hon. Member will not press this. It is one of the many small matters that must be dealt with by rules. It is very undesirable to endeavour to affirm in this Bill what is to be found in the County Court Acts, although it may be expedient to declare that certain provisions of those Acts do not apply in this case.

SIR ROPER LETHBRIDGE: Am I to understand from my hon. and learned Friend that the costs will be added by the rules of the County Court?

SIR W. HARCOURT: It would be most improper that such a rule should be laid down in an Act of Parliament. Costs are generally or very often in the discretion of the Court. This Amendment, if adopted, would take away that discretion. Though the Court thought a case a very proper one to be argued, and that each party should pay his own costs, there would be no power, if this Amendment were passed, to make such an order.

*(6.54.) MR. SYDNEY GEDGE: I think the right hon. Gentleman cannot have read the clause. The words are not "the Court shall" but "the Court may order." My hon. Friend proposes to add, "together with the costs," and the right hon. Gentleman wants the House to believe that under the Amendment the Court "may" order payment of the sum and "shall" order payment of the costs. Will my hon. and learned Friend give me the assurance that if the words remain as they are in the Bill the Court will be able to give the costs?

*(6.55.) SIR R. WEBSTER: I thought my hon. Friend's experiences of County Courts was larger than mine. I have no personal knowledge on the point, but I am so advised by County Court authorities, and I think there is no doubt about it. We intend to give the County Court the discretion, but I will look into the matter.

SIR ROPER LETHBRIDGE: That quite satisfies me.

Amendment, by leave, withdrawn.

*(6.56.) SIR J. SWINBURNE: I beg to move the Amendment which stands next in my name. The first part provides that the County Court Judge may have power to order payment of arrears by instalments, and the second that the owner of the land shall not be liable to imprisonment for non-payment. At present no tithepayer can be sent to prison for non-payment of his tithe, but it is doubtful whether under this Bill he could not be sent to prison either for contempt of Court or otherwise. I think that when the subject was discussed by the House last year it was generally understood that there should be no imprisonment for non-payment of tithe in any shape whatever.

Amendment proposed, in page 2, line 7, at the end, to insert the words—

"Provided always, that the County Court Judge have power to order the arrears of the tithe rent-charge to be paid by instalments, and provided also that the owner of the lands out of which the tithe rent-charge issues shall not under this Act be liable to imprisonment for non-payment under an order of the County Court.—*(Sir J. Swinburne.)*

Question proposed, "That those words be there inserted."

*(6.58.) SIR R. WEBSTER: Two questions are raised by the Amendment. As to the first, with regard to payment by instalments, the answer is exactly the same as I have already given on the subject of costs. The power is possessed by the County Court Judge already, and it would be unwise to reaffirm it in the Bill, as it would give rise to the argument that other powers, now possessed by the Judge, are intended to be withheld by this Bill. As regards the question of imprisonment, I would ask the hon. Baronet not to raise it now but to allow it to be discussed on the Amendment of the hon. Member for Glamorganshire (Mr. S. T. Evans). The question has been considered by my right hon. Gentleman the President of the Board of Trade and myself, and I may indicate what we regard as the right line to take. We have not the slightest intention of making any person liable personally, that is to say by imprisonment for non-payment of tithe. I say that in the most distinct manner possible. But there is one case that has to be carefully observed, and that is a case, not exactly of contempt, but one which I am sure the sense of the House would not like to see excluded. I refer to the case in which a bailiff, who is simply executing the process of the Court properly is met either by assault or by having the goods taken from him. That is already dealt with by the County Court Act, under which a person who acts in that way is liable to a fine of £5, which can be recovered before the County Court Judge. I am sure no one would wish that a mere Ministerial officer should be assaulted with impunity or have the proceeds of the distress taken from him. It is perfectly clear, however, that the existence of liability will under no circumstances enable a person to be imprisoned for non-payment.

(7.0.) SIR W. HARCOURT: It is very desirable that we should clearly understand where we are on this point. I should therefore like to know whether, in respect to an owner now liable for tithe rent-charge under the Bill, there will be any remedy against him whatever except such remedy as now exists, that is to say, no remedy but distress?

SIR R. WEBSTER: None whatever. Distress, or occupation of the land.

*SIR W. HARCOURT: Sub-section 2 declares that the officer of the Court—

> "Shall have the like powers for the recovery of the sum ordered to be paid, as are conferred by the Tithe Acts on the owner of a tithe rent-charge for the recovery of arrears of tithe rent-charge."

I would suggest that this requires strengthening by the words "like powers and no other." So long as we have it distinctly that the tithe owner shall have no remedy he does not now possess against the landlord, who is now in the position of tithepayer, I think we can work out the section on these lines.

*(7.2.) SIR R. WEBSTER: It seems to me it is only a drafting question. The powers you confer are conferred in so many words, and the addition of the words "and no other powers" adds nothing to the effect. I think it is perfectly clear. Take first the tenant under agreement. All he has to do is to pay over the rent to the receiver of the County Court, and not to the landlord. Where the owner is the occupier, recovery is then made by an officer of the Court, who will have the same powers as are conferred by the Tithe Acts. The only other case provided for is the case that does not directly arise, improper interference with the officer of the Court, but that, of course, does not affect the liability of owner or occupier.

*(7.3.) MR. S. T. EVANS: Will the hon. and learned Gentleman undertake to introduce words to show that the reference is expressly to a particular section?

*(7.3.) SIR R. WEBSTER: It is impossible to give that kind of promise without seeing what section the hon. Member means. If he suggests any particular section, I will of course consider any such suggestion. My distinct opinion is that the words in the Bill are amply sufficient to prevent any other remedy being enforced against occupier or owner.

*(7.4.) MR. T. H. BOLTON: I understood the Attorney General to say that the Court will have power to make an order for payment by instalments. Is that consistent with the scope of the Bill? The remedy is not an order for payment, the remedy is the appointment of a receiver. There will be no order to pay, except to pay the amount which the receiver is authorised to recover. Is the County Court to appoint a receiver, and direct him to accept the rent-charge by instalments? I do not know whether the Attorney General has considered the matter; but what he says may be reported, and may lead to a construction of the Act not intended. I apprehend that it is the duty of the receiver to recover the amount, and not to accept instalments, unless the exigencies and necessities of the particular case require it.

*(7.6.) SIR R. WEBSTER: I must disabuse the hon. Member's mind of the idea that anything I say will be used as an interpretation of the Act. I do my best to explain to the Committee what the state of the law will be, but no one should know better than the hon. Member, an experienced practitioner, that the Court puts its own construction on the words of the Act. The hon. Member has really answered his own question. There are no directions in the Act that the money shall be paid by instalments. The receiver will receive the rent and profits, and he will act under the direction of the Court. He will come back to the Court, and say he cannot recover the whole of the tithe rent-charge, but has an offer to pay £5 or £10, or whatever it may be, a month. The Court will consider whether this is a proper arrangement, and will sanction the receiver in receiving it. There will be no difficulty; it occurs not unfrequently in existing practice and procedure in cases of distraint, and there is no occasion for an alteration in the clause.

*(7.8.) SIR J. SWINBURNE: I should like the Bill to be so drafted that the County Court Judge should be able to order payment of tithe to be made by instalments if he thought fit, like any other debt; but not to go through the form and expense of putting in a receiver. If the Attorney General assures me that

the Bill is so drafted that the Court can say the debt for tithe shall be paid at so much per month I shall be satisfied.

*(7.9.) SIR R. WEBSTER: The hon. Member has not quite sufficiently studied the scheme of the Bill. So far as the tenant occupier is concerned we propose that he shall not be liable for more than he owes the landlord, and it would be impossible for the County Court to order it. It would alter the whole scheme of the Bill to do as the hon. Member suggests. The receiver for the County Court will receive the rent and profits, but in cases where the receiver cannot get the whole, the Court will authorise him to proceed by instalments. It would be utterly inconsistent with the whole scheme of the Bill if the Court were, in the first instance, to enter into the question whether there should be payment by instalments or not. A little more consideration of the Bill will show the hon. Member that the words he proposes are unnecessary.

Amendment, by leave, withdrawn.

(7.10.) SIR ROPER LETHBRIDGE: The next Amendment raises exactly the same question as was raised earlier, in reference to the cost of recovery and upon the undertaking given by the Attorney General; I do not move it.

*7.10.) MR. S. T. EVANS: I propose to add at the end of the sub-section the words, "and no greater or other powers." This will meet with the approval of the right hon. Gentleman the Member for Derby, and I leave him to press the Amendment upon the consideration of the Committee.

(7.11.) Amendment proposed, in page 2, line 13, at the end, to insert the words "and no greater or other powers." —(*Mr. S. T. Evans.*)

Question proposed, "That those words be there inserted."

*(7.11.) SIR R WEBSTER: The powers conferred are set forth in the Statute, and it is for anyone who suggests that the receiver has other or greater powers to find the words that give such powers in the Statute. My only objection to the words is that they would be extremely bad drafting. Of course, the hon. Member may say he does not mind that if it adds to the clearness of the section. All I can say, and speaking from some experience, is that the powers given are given by Statute, and the addition of these words do not make the meaning more clear, while they are contrary to the recognised rules of drafting.

(7.12.) SIR W. HARCOURT: If you give to the County Court jurisdiction in a matter where it has not jurisdiction already the natural inference is that the ordinary County Court regulations and powers apply to this subject matter, and, supposing you said nothing more about any special remedy, all the County Court powers and remedies would be applicable to this subject matter. Now, here you give the County Court jurisdiction in regard to tithe.

*SIR R. WEBSTER: If the right hon. Gentleman will look at line 13, where the Amendment moved comes in, he will see that the powers conferred for the recovery of the tithe rent-charge refer to the powers of the receiver under the Tithes Act; they do not refer to the County Court Act at all.

SIR W. HARCOURT: But I have not said what I wish the Attorney General to hear. This gives, no doubt, power of distress under the Tithe Rent-Charge Act, which the County Court does not naturally possess. But, in my opinion, it would not be an unreasonable interpretation to say this is a cumulative power. It does not exclude the ordinary County Court powers, but gives, in express terms, a jurisdiction that does not belong to the County Court at all, and it is quite possible to hold that the ordinary and natural County Court jurisdiction and administration should attach to the matter, *plus* the special remedies given under the Tithe Act. You say you allow these powers, but you do not say only these powers, excluding other County Court powers. It is not an unreasonable proposition to say this gives the County Court extraordinary powers it did not before possess. If you do not mean that, say so; make it clear that you do not mean to add this to the ordinary County Court powers.

*(7.15.) SIR M. HICKS BEACH: We did not conceive it possible that such an interpretation could be placed upon the words in the Bill; but as we find it is possible, and that the right hon. Gentle man has suggested such an interpreta-

tion, to save further discussion we will accept the Amendment.

*(7.16.) MR. SYDNEY GEDGE: If the right hon. Gentleman the Member for Derby will look at the first sub-section he will see that we have already amply provided that these shall be the only powers given to the County Court. The Court

> "May order that the said sum, or such part thereof as appears to the Court to be due, be recovered in manner provided by this Act, and tithe rent-charge as defined by this Act shall not be recovered in any other manner."

That excludes all other powers of the County Court.

*(7.16.) SIR M. HICKS BEACH: If I agree it is conditional upon the discussion now ending.

Question put, and agreed to.

(7.17.) MR. H. R. FARQUHARSON: I propose to move at the end of the clause a provision that the occupying owner when a receiver is appointed shall be entitled to all the advantages an outgoing tenant would have under the Agricultural Holdings Act. The landowner occupying his own land is to be under the existing law, with the exception that an officer of the Court will be appointed to act for the tithe owner. I believe under the existing law the tithe owner can enter and occupy land from which tithe is due after it has been due for some considerable time. But under the Agricultural Holdings Act of 1883 the incoming tenant will pay the out-going tenant for ploughing, harrowing, tilling, and various other acts of husbandry. Certainly these things are not the produce of the land; and I think it would be very desirable if the tithe owner in future when he enters on the owner's land should be put in the position of any incoming tenant and pay the outgoing tenant for such tillage which he would have payment for, were he an ordinary tenant under the Agricultural Holdings Act.

Amendment proposed, in page 2, after line 13, to add the words—

> "Provided that if an officer is appointed by the Court and enters into occupation of the land the landowner shall be treated as an outgoing tenant, and shall be entitled to be paid such money as he would be entitled to receive if he were an outgoing tenant under the 'Agricultural Holdings Act, 1883,' and by the custom of the country, and such money shall not be retained as a set-off against the tithe."—(*Mr. Farquharson.*)

Question proposed, "That those words be there inserted."

(7.20.) SIR M. HICKS BEACH: This sub-section refers to the case of occupying owners, against whom the remedy is by distress, and I do not quite understand how the proposed words apply in that case. I think that, at any rate, I must ask my hon. Friend to place his Amendment on the Paper, for it is evidently an Amendment I could not agree to without some consideration, and I confess I do not quite understand how it would apply at all.

*(7.21.) SIR JULIAN GOLDSMID: Further, I think the hon. Member must tell us where the receiver is to get the money. His proposal appears to me to be an absolute impossibility.

Amendment, by leave, withdrawn.

(7.21.) SIR J. SWINBURNE: I propose to move the omission from lines 16 to 20 of the words—

> "Unless the Court otherwise direct, on the ground that it is unnecessary for recovering the rents and profits of such land, also of the rents and profits of any other lands of the same owner which are occupied by the same occupier, together with those lands."

If these words remain, I think, as an hon. Member behind me has explained, the tithe owner can sue on the owner of the land for the whole of the tithe, whether the tithe is charged upon the whole of the land or not, a power which I think should not be granted.

Amendment proposed, in page 2, line 16, to leave out from the word "and," to the word "lands," in line 20.—(*Sir J. Swinburne.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

*(7.22.) SIR M. HICKS BEACH: The reason for the words is this: It frequently happens that a farm consists of tithable and non-tithable land, and if a person were appointed receiver merely of the tithable part of the farm there would be a difficulty in deciding what he was appointed receiver of, and it would give very great trouble to the receiver. Of course, this is a change in the present Bill to the advantage of the owner of the lands as compared with the

proposal we made last year. In some cases it might be possible for the Court, in co-operation with the owner, to divide the land and appoint a receiver over one part, and this would come in under the words "unless the Court otherwise directs." Non-tithable land is in no way liable for the payment of tithe rent-charge. It is rather a technical point, but I hope I have made myself clear.

*(7.23.) SIR J. SWINBURNE: But you are going to put a charge upon land not now tithable.

*SIR M. HICKS BEACH: No; the words are a limitation of the existing law.

(7.24.) SIR W. HARCOURT: Well, but I should like to know, does it mean that the tithe upon land in one county can be recovered by authority over land in another county? If a man occupies two farms, can you make one farm responsible for the tithe on the other?

SIR M. HICKS BEACH: No; they will be separate occupations.

SIR W. HARCOURT: It is very obscure ——

THE CHAIRMAN: There is a subsequent Amendment which deals with the point particularly; it would be better to dispose of this Amendment first.

*(7.25.) SIR M. HICKS BEACH: I take it that the farm would be held under a separate agreement, that it would be rated separately, and therefore would be a separate occupation. The words are applicable to a case where there is tithable and non-tithable land on the same farm.

(7.26.) SIR W. HARCOURT: I am desirous of meeting the Government in the intention that this shall be as nearly as possible a Bill to transfer the liability for tithe from the occupier to the owner; that it should not pass beyond that limit. I will support a Bill having that object. I do venture to submit to the Government that they should eschew in their Bill any alteration of the liability itself; that they should not vary the liability by a hair's breadth in transferring the responsibility from one individual to the other. Now, so far as I understand the right hon. Gentleman, he admits there is a difference from the existing law in this multiple occupation. I do entreat him most carefully to avoid altering the character of the liability. I understand the tendency of these words is to make a variation in the existing law, which will, the right hon. Gentleman says, be to the advantage of the tithe owner.

*SIR M. HICKS BEACH: No.

SIR W. HARCOURT: Well, he admits it is an alteration in the law. He says it will be against the tithe owner if the alteration is not made, so I conclude it is an alteration in favour of the tithe owner. That we ought not to do. Apart from the incidence, we should adhere to the law strictly and literally as it is, and if there is any doubt about it I should strongly advise the omission of the words.

*(7.28.) SIR M. HICKS BEACH: I did not say this was an alteration of the law, but an alteration from the proposal we made last year, which was taken objection to. Our proposal last year was that the order of the Court should be executed against the lands subject to the tithe rent-charge, and against any lands of the same owner in the same parish, and occupied by the same person as the lands subject to the tithe rent-charge.

*(7.30.) SIR JULIAN GOLDSMID: It appears to me that there might be considerable difficulty in dealing with this matter. If a man occupied 1,000 acres, and the tithe had not been paid on an additional strip of 10 acres, I think it would be a little strong to seize the 1,000 acres as well as the 10.

*(7.31.) MR. G. OSBORNE MORGAN: My difficulty is that the effect of this clause as it stands will be to make tithable lands which were not previously tithable. If it does so to any extent that is a very objectionable change in the law, and quite contrary to the principle on which the Bill is based.

*(7.32.) MR. SYDNEY GEDGE: Unless these words stand, the clause will not be workable at all. The landlord may, perhaps, have leased or let the farm to one tenant, but the farm is liable in different parts to different charges, and unless this clause comes in the unhappy receiver will have to ascertain and apportion the precise plots of land which are subject to the different rent-charges. It would be utterly impossible, therefore, to limit the receiver in the reception of the rent merely to the particular plots. With regard to the limitation to "within the parish," that was all very well before-

hand, but now that it is the landlord and not the occupier who is made responsible it is a very different thing. The landlord's estate is to be liable for the money.

(7.35.) SIR W. HARCOURT: I thought these words were dangerous before, but after hearing the speech which has just been delivered, I see that there is not only danger, but immense mischief in them. I am exceedingly obliged to the hon. Gentleman the Member for Stockport, for he has explained the words by his speech. It says, it was all very well in the old days when you were proceeding against the occupier, but it is different now. Well, first of all, you never did proceed against the occupier, but against the landlord, and so you ought to do here. Now, the hon. Member has shown that by having this matter dealt with in the County Court, the tithe owner is to have greater and more extensive powers against the landlord than he had under the old law. I cannot understand at all why the Government are not content to leave the law as it is under Clause 85 of the present Act. You are altering the provisions of that clause most materially. The present clause contains none of the limitations which appear in that. If we are asked how the receiver is to distinguish between one piece of land and another, the answer is that he has to distinguish under the Act of 1836. I would urge the Government to keep the law as it is. I understand this Bill to make this simple change in the law: that the tithe is to be levied on the owner instead of the occupier, and that instead of being levied by the tithe proctor of the tithe owner, it is to be levied by the County Court officer. With that part of the Bill I agree, but I object to, and will resist, anything that goes outside those two propositions. This is a material alteration of the existing law. If it is not, leave out the words. If it is, I think for the reasons I have stated we ought to object to it, and I do object to it, in the interest of the landowner as well as of the occupier.

*(7.39.) SIR R. WEBSTER: As I understand the Amendment, it goes a great deal further than the right hon. Gentleman has just said. We have no intention of bringing within the ambit of the Bill, rents and profits in tithable land which would not be subject to Section 80 of the Act of 1836; and if the words go further than our intention, we must consider the question. But the Mover of the Amendment proposes that no other land shall be liable except the particular land from which the particular tithe issues. We cannot accept an Amendment which will, practically speaking, remove from the security of the tithe owner those very lands which are subject to Section 85.

*(7.40.) MR. T. H. BOLTON: The object of Section 85 was not to make land which was not tithable pay tithe, but to provide that when the tithe was apportioned between the various parcels of land—so much on this and so much on that—and where the lands were owned by the same parson and occupied by the same tenant, you might resort to one tithable parcel of land for what another tithable parcel was not sufficient to pay.

*SIR R. WEBSTER: Not necessarily "tithable" land.

*MR. T. H. BOLTON: The words point to tithable land. They must be taken in conjunction with the words "notwithstanding any apportionment." The tithe was commuted into a money payment, chargeable on the tithable lands of the parish. The apportionment divided the amount amongst the lands, and the object of the section was that, notwithstanding that division and that apportionment, if a parcel of land was not sufficient to pay the tithe charged on it, resort should be had to another parcel if owned by the same person and occupied by the same tenant. There was no provision in the Act to make non-tithable land pay tithe, and you cannot resort to that land. The proposal now made is not only to extend the liability to non-tithable land, but to extend the liability to all lands owned by the same person and held by the same tenant, whether in the same parish or not. If a farm lies in two adjoining parishes the receiver appointed to recover an arrear of rent-charge in one parish might cross the boundary and levy the tithe in the adjoining parish. That gives a far wider scope and operation to this section than ever could have been intended, even by the framers of the Bill. I therefore suggest that this clause should be considerably modified, and should be restricted to tithable lands and to lands in the same parish.

*(7.44.) SIR M. HICKS BEACH: We all feel it would be desirable, as the right hon. Gentleman the Member for Derby has said, to maintain the liability of lands to tithe rent-charge exactly as it is. Therefore, I would propose that we should leave the clause as it stands down to "lands" in line 18, and then insert—

> "And of any other lands which would be liable to be distrained upon for the tithe rent-charge as to which the order refers under the provisions of Section 85 of the Act of 1836."

The clause would then run—

> "In any other case the order shall be executed by the appointment by the Court of a receiver of the rents and profits of the lands, and, unless the Court otherwise directs, on the ground that it is unnecessary for recovering the rents and profits of such lands, of the rents and profits of any other lands which would be liable to be distrained upon for the tithe rent-charge to which the order refers, under the provisions of Section 85 of the Tithes Act, 1836."

(7.45.) SIR W. HARCOURT: I think we are agreed in the object, but the question is how is it to be carried out. You carried it out in a very simple way in a previous sub-section. Section 85 of the Act of 1836, contains part of the powers therein referred to, and the definition of the powers; and I do not see why you should not deal with the matter under this sub-section in a similar spirit, even if the circumstances prevent your repeating the same words. Why should you not be content to give the receiver the powers that already exist under the existing Tithes Act? That would be quite safe. I do not see that any specification is necessary; and you have done something similar under Sub-section 2.

*SIR M. HICKS BEACH: These powers are only powers of distress, and we must remember that the receiver has other powers, such as receiving rents and profits.

SIR W. HARCOURT: I do not quite understand how the case stands in the mind of the Government. You are no longer to proceed against the occupier. You have initiated action against the owner where he is occupier, and have made other new departures; and then you say in "other cases" the orders shall be executed in accordance with the powers conferred by the Tithe Act. What is meant by other cases?

*SIR R. WEBSTER: The "other cases" are where the occupiers are not the owners; there is no doubt about that. The right hon. Gentleman says, "Bring the same powers into this sub-section," but what is the subject matter? It is different from that of the other sub-section, being the land in respect of which the rent, and profits are to be received. Accordingly my right hon. Friend has suggested that the receiver should have power to recover the rents and profits of such lands, and of any other lands which are liable to be distrained upon under Section 85 of the Tithes Act. It is said that we should apply to that out of which the rent is to issue, namely, the land, exactly the same provision as that we apply in giving power to a receiver; and it is assumed that the same drafting should be resorted to in either case. Obviously that cannot be done.

*(7.53.) SIR JULIAN GOLDSMID: I hope the right hon. Gentleman the President of the Board of Trade will accept the Amendment. I objected to the Bill because it extended the powers of the receiver, but that objection was met by the receiver being placed in the same position he formerly occupied. I hope the Committee will accept the proposal.

*(7.54.) VISCOUNT CRANBORNE (Lancashire, N.E., Darwen): I would suggest that the words—

> "Unless the Court otherwise directs, on the ground that it is unnecessary for recovering the rent and profits of such lands,"

are unnecessary. The receiver ought to have the full power conferred on him by the Act of 1836. In certain cases where tithe has been apportioned on a small parcel of the land, the fact that the tithe owner had the right to recover from the land in the occupation of the same occupier, owned by the same owner in the same parish, was a great security to him, and it does not seem to me that he ought to be limited in these powers in reference to such land. I do not think the Court ought to be asked to consider whether it is unnecessary for the purpose mentioned. The tithe owner ought to have the full power he possessed now under Section 85 of the Act of 1836 to recover his tithe from all the land owned by the same owner in the same parish, occupied by the same occupier.

*(7.55.) SIR J. SWINBURNE: If the right hon. Gentleman assures me that the words of the proposed Amendment

carry out the full intention of hon. Members on this side of the House, and that the powers of the receiver will not exceed those possessed by him under Section 85 of the Act of 1836, I will, with the permission of the Committee, withdraw the Amendment.

*(7.56.) Sir M. HICKS BEACH: I think I am right in my recollection that the insertion of the words giving a discretion to the Court to exclude the other lands was intended to be an equivalent for the omission of the limitation to the parish, but it would be fairer to both sides that we should leave the matter as it was.

Amendment, by leave, withdrawn.

(7.57.) Amendment proposed, in page 2, line 16, to leave out the words—

> "Unless the Court otherwise directs, on the ground that it is unnecessary for recovering the rents and profits of such lands,"

in order to insert the words—

> "And any other lands which would be liable to be distrained upon for tithe rent-charge as to which the Order refers under the provisions of Section 85 of the tithe."—(*Sir M. Hicks Beach.*)

Question, "That the words proposed to be left out stand part of the Clause," put, and negatived.

Question, "That those words be there inserted," put, and agreed to.

*(7.58.) Mr. S. T. EVANS: I beg to move to leave out, in line 21, the words—

> "The County Court shall have the same powers for the purposes of this Act as in any other case where the Court can appoint a receiver,"

in order to insert—

> "In respect of receivers, and may confer on the person appointed as receiver any powers that the Court may confer on receivers."

If these words I move to omit are allowed to stand they will, I think, be found very dangerous. At present the County Court has the right, I believe, to appoint receivers in any case that may come before it; therefore, the words as they stand would give the County Court the same power that it has in every other case within its jurisdiction. I think the words I propose to substitute will carry out the intention of the Government.

Amendment proposed, in page 2, line 21, to leave out from the words "the County Court," to the word "and," in line 23.—(*Mr. S. T. Evans*).

Question proposed, "That the words proposed to be left out stand part of the Clause."

*(7.59.) Sir R. WEBSTER: I have some difficulty in following the scope of the Amendment, because it is not on the Paper. It seems to me it is only a question of language. It is necessary for the Court to keep control over the receiver; and even if the words the hon. Gentleman suggests were accepted, my impression is that the powers of the receiver would not be as they are now. The words sought to be struck out are necessary to keep the control of the Court over the receiver, and the words the hon. Member proposes to insert in their place are merely alternative.

(8.0.) Sir W. HARCOURT: What my hon. Friend is afraid of is that these words, "shall have the same powers for the purposes of this Act as in any other case," may go beyond what is desirable or necessary, and he thinks that the words he suggests would provide the requisite limitation.

*Mr. G. OSBORNE MORGAN: The objection is that you propose to appoint a receiver and give him all the powers the Act of Parliament gives in the case of the High Court of Justice.

(8.1.) Mr. WARMINGTON (Monmouth, W.): I think the intention would be best carried out by these words—

> "And the Court shall have such control over such receiver, and may confer on such receiver such powers as an ordinary receiver is subject to and enjoys;"

that is to say, there shall not be given to this receiver under this Act any exceptional position; that he shall have no further powers than an ordinary receiver, and shall be subject to the same control. The words of the clause, however, go much further than that.

*Sir R. WEBSTER: The words objected to have been carefully considered, and I should prefer to stand by them unless the hon. and learned Member for Monmouthshire can show that other and greater powers than are intended are given by statute, and point out the statute that gives them. I do not see any advantage that would be derived from the adoption of the words suggested instead of those in the Bill.

*MR. S. T. EVANS: I would suggest these words—

"And subject to the prescribed regulations, the County Court shall have the same powers in respect of receivers, and may confer on the person appointed as receiver any powers which the Court can confer on receivers."

*SIR R. WEBSTER: Those words seem to be practically the same as ours. At any rate, I cannot see the difference; but I will say that if we find that our words do not satisfy us on consideration before the Report stage, I shall be ready to consider the suggestion of the hon. Member.

Amendment, by leave, withdrawn.

*SIR J. SWINBURNE: I have now to move the Amendment I have placed on the Paper, providing—

"That it shall not be competent to the County Court Judge to appoint a receiver where the amount of tithe rent-charge due shall not exceed the sum of ten pounds, and provided also that the receiver apppointed under this Act shall be answerable to the owner of the lands out of which the tithe rent-charge issues, for mismanagement or for injury to the produce or to the holding."

As the Bill now stands, it might be used in a very oppressive manner, through a receiver being appointed if a very small amount were overdue, that receiver—being merely anxious to recover the sum due—ploughing up old grass land without regard to the injury he is doing, in order to secure a crop, and then, when he has sold the proceeds and discharged the debt, leaving the farm in a ruinous condition.

Amendment proposed, in page 2, line 25, at end, to add the words—

"Provided always, that it shall not be competent to the County Court Judge to appoint a receiver where the amount of the tithe rent-charge due shall not exceed the sum of ten pounds, and provided also that the receiver appointed under this Act shall be answerable to the owner of the lands out of which the tithe rent-charge issues for mismanagement or for injury to the produce or to the holding."—(*Sir J. Swinburne.*)

Question proposed, "That those words be there inserted."

*SIR M. HICKS BEACH: In regard to the first part of the Amendment, I should like to ask the hon. Member how does he suppose the tithe rent-charge could be recovered without the appointment of a receiver? With regard to the other part of the Amendment, the receiver will, of course, be answerable to the Court, and I do not see any special reason for the adoption of the hon. Baronet's proposal.

*SIR J. SWINBURNE: If the receiver is made liable for improper use of the farm, he will be more careful. If the Government desire it, I will withdraw the first part of the Amendment; but I think I must press the second portion.

(8.15.) SIR R. WEBSTER: Suppose you have a receiver, he is liable for any misconduct of that character. It would be a most injurious thing in the interests of the tenant and the owner to say that he is to be otherwise liable.

MR. WARMINGTON: I understand that a receiver is nothing but a receiver. He is not the manager of the farm; that would be entirely outside his duty, which is to receive the tithe rent. If he misconducts himself, he will be answerable to the Court, and in a very summary manner.

*SIR J. SWINBURNE: Suppose the occupier and owner decline to go on cultivating the farm, then the receiver would appoint a farm bailiff to cultivate it—probably some ignorant person, who would be told to make the amount of the tithe rent-charge as quick as he could. Complaint would be made, and the reply would be, "We did our best." There may be a legal remedy, but practically the owner and occupier would be without any redress whatever.

MR. C. W. GRAY: I should like it to be made perfectly clear whether, under any circumstances whatever, the land will be cultivated by the Court officer, because the owner and occupier should be safeguarded under the circumstances. If it is merely a case between the payer of the rent and the tithe owner, I have no objection to the clause as it stands. But I cannot be put off by any words which are ambiguous.

*SIR M. HICKS BEACH: It was never intended by the word "manager" that the receiver should cultivate the land. He receives the rent and pays the tithe.

SIR W. HARCOURT: I should like it to be clearly understood. We know that, under the old Tithe Law, if there were arrears for a certain time, and it was impossible to get the money, then the tithe owner could go in, and he does so now. Where the tithe exceeds the rent, and it is not worth while cultivating the land, you get what is called "derelict" land. We know there are certain cases in which the Colleges of Oxford occupy farms which have become derelict in consequence of the extreme burden of the tithe. Unhappily the cases of derelict lands are not infrequent in this country. In Berkshire and Oxfordshire there are such cases. The tithe, as in the old days the poor rates, have eaten up the profits, and it is not worth while, either on the part of owner or occupier, to go on with the cultivation. I want to know, under this Bill, what would happen in those circumstances? There is no question of the receiver receiving the rent; there is no rent paid; there is no tenant to pay it; there is no one who will cultivate the land.

*(8.20.) Sir R. WEBSTER: Of course. Those cases do not come under Sub-section 3, which applies to cases where the land is occupied. And where the land is occupied the receiver has no power to interfere, except to receive the rents. It may be that in drafting Sub-section 2 I have not sufficiently considered the cases to which the right hon. Gentleman the Member for Derby has referred, but I think the law in these cases is that the owner is the occupier. There is no such thing as a derelict farm, in the sense of its being entirely unoccupied. It is perfectly correct that under the powers of the Tithe Commutation Act the tithe owner has gone in and worked the farm; but Sub-section 3 does not apply, but under Sub-section 2 the officer of the Court would have the power of entering. That is quite clear, though it cannot be discussed now, Sub-section 2 having been passed. Still, I am prepared to consider it before the Report stage.

Sir W. HARCOURT: Under those circumstances the receiver would be the manager.

*Sir M. HICKS BEACH: No; the receiver would not be manager at all.

Sir W. HARCOURT: Who is to go in? The officer of the Court, the Attorney General says. Land goes out of cultivation because it does not pay, and it is to be made remunerative by sending an officer of the Court to farm it. Are the officers of the County Courts throughout the country to cultivate these derelict farms?

*Sir R. WEBSTER: I never suggested it.

Sir W. Harcourt

Sir W. HARCOURT: These farms become derelict because it does not pay to cultivate them. We ought really to have some more agricultural exposition of what is to be done in what I may describe as desperate cases. I understand that the receiver is a man who receives rent. Now, suppose that the tithe rent-charge is £50, and only £40 is forthcoming, what is going to be done with reference to the other £10?

*Sir M. HICKS BEACH: I do not know whether I can be considered an agricultural authority or not, but I think the right hon. Gentleman entirely misses the intention of this sub-section. This sub-section cannot apply where the land is not let. It only applies where the land is let. Well, then, the land being let, the owner of the land would obtain relief under the 3rd clause of this Bill, and the tithe would be reduced in accordance with the provisions of that clause, and no more of the tithe rent-charge would be recoverable than that clause allowed. But if it is a derelict farm then it would come under the provisions of Sub-section 2; and under those circumstances the officers of the Court would enter and distrain, subject again to the provisions of the 3rd clause, which would prevent the tithe rent-charge distrained for being more than a certain proportion of the assessment to the Income Tax under Schedule B.

Sir W. HARCOURT: My proposition is that there is nothing to distrain on on a derelict farm.

*Sir M. HICKS BEACH: That being so, the other provisions of the Tithe Act of 1836 would come into force, under which, where there is no distraint, the tithe owner can enter and cultivate, subject to the limitations of that Act. That, I think, answers the right hon. Gentleman.

Sir W. HARCOURT: Not quite. Would it be the tithe owner, or the County Court Officer? Is the Court Officer to farm derelict land?

*Mr. S. T. EVANS: The Attorney General says that Sub-section 3 does not apply to derelict farms. But I will put a case to him which would fall within Sub-section 3. The landlord might say to the tenant: "If you come to an agreement with me, I will let you the farm for 7 or 14 years at a very low rent. I will, for instance, give you a lease for 14 years, and if you erect the farm buildings you shall have the farm for seven years at a peppercorn rent." What would the officer of the Court do in such a case? Receive the peppercorn?

*(8.31.) SIR R. WEBSTER: My hon. Friend has overlooked the provisions of Section 3. Still, it seems to me that this is a matter which requires further consideration, and it shall receive it when we come to the right clause.

*(9.3.) MR. S. T. EVANS: The Attorney General thinks that Section 3 applies to the difficult cases in connection with the clause we are now dealing with. But Section 3 deals solely and simply with the remission of tithe, and not with payment of tithe. The hon. and learned Gentleman seemed to think that if there is an abatement of tithe under Section 3, that section imposes a personal liability on the landlord to pay the tithe rent-charge at the amount fixed by the Commissioners. There is no provision in the Bill to meet the cases we have put. It might very well happen that a tenant agreed to put up farm buildings on the understanding that he should pay a peppercorn rent in the first half of the period of his lease. In that case, by what method are you going to get your tithe from him?

THE CHAIRMAN: The question raised is rather wide.

*(9.5.) MR. T. H. BOLTON: The right hon. Gentleman the Member for Derby raised the question whether the receiver proposed to be appointed under this Bill was to take possession of the farm, or whether the tithe owner, falling back upon the remedies given to him by the existing Act, was to do so. If the Attorney General will refer to Section 1 he will see there a distinct declaration that the tithe rent-charge shall not be recovered in any other manner than the manner prescribed—that is to say, by the appointment of a receiver. The appointment of a receiver is the only way in which tithe rent-charge can be recovered.

*SIR R. WEBSTER: Sub-section 2 gives other powers.

*MR. T. H. BOLTON: Yes, in reference to land occupied by the owner; but it amounts to the same thing. The receiver is the only person who can do anything, and he is to have all the powers given by the Tithe Acts for recovery of the tithe. One of the powers given by the Tithe Acts for the recovery of rent-charge is taking possession of the land. The Act of 6 & 7 William IV., chapter 71, section 82, provides that where there is not a sufficient distress to provide for the tithe rent-charge certain proceedings are to be taken, and they result in the tithe owner taking possession of the land. Therefore, the receiver to be appointed under this section may, under certain circumstances, be charged with the duty of taking possession of and, if he cannot find a tenant, I suppose of cultivating the land. If that is not intended, there will have to be some alteration in the Bill. I do not know that this is a very serious or practical difficulty, because the receiver appointed will act, I suppose, as a sensible man. He will collect the rent if there be any. He will let the land if he can. If he cannot let it he will have recourse to the Court, and the Court will give him instructions. I do not suppose he will carry on any extensive farming operations. He may expend a little money in laying down grass. I hear the hon. Member for Lichfield say that it would take a generation to produce pasture.

THE CHAIRMAN: The Amendment before the Committee is that of the hon. Baronet the Member for Lichfield Division.

*MR. T. H. BOLTON: The hon. Baronet proposes that the receiver appointed shall be answerable for mis-management or bad cultivation. I am endeavouring to show that there may be a responsibility of the kind upon the receiver, but that I doubt whether the responsibility is of a very serious character. I do not think we should pass this section without realising the full effect of it, namely, that it will give the receiver a right to take possession and to carry out farming operations. That may involve putting land in pasture. The hon. Baronet says that is a long operation. I do not know that it takes 50 years. I have myself managed it in less time than that. At any rate whatever agricultural operations the receiver will have to carry out will not be of a very serious or important character. But in 999 cases out of 1,000 the probability will be that there will be a tenant who will pay rent, a some one who will be willing to take the land

and pay something for it. The last thing the receiver will do will be to take the land and cultivate it. I prefer to leave the clause as it is, for there will be great difficulty in getting a man to act as receiver, if in a certain event he has to farm the land and to be responsible in damages if he does not farm it properly.

(9.15.) MR. H. GARDNER: I do not at all agree with my hon. Friend when he says it will be a trifling matter if receivers who have no knowledge of agriculture have to work the land. But I rose for the purpose of ascertaining from the Attorney General what the situation is. I understand from the President of the Board of Trade and the Attorney General, that it is possible if lands become derelict—as many lands in Essex have—and there is absolutely no occupier, Section 2 of the clause will come into operation, and the owner become the occupier. It is under Section 2 of the clause that all the remedies given by the Tithe Commutation Act of 1836 come into play, therefore it is obvious that the County Court when called upon will have all the remedies and power of the tithe owners under that Act. These remedies and powers include the appointment of a manager to enter into possession of the land, and work it for the benefit of the tithe owner. I want to know from the Attorney General or the President of the Board of Trade, who is to appoint this manager, and who the manager is to be? Is he to be the receiver? If so, I think we shall be landed in some difficulty. As the right hon. Gentleman the Member for Derby has said, this derelict land, which is really the land about which the difficulties produced by excessive tithe arise at the present moment, will be handed over, in the County of Essex, to the receiver of the County Court.

*(9.17.) SIR R. WEBSTER: The questions put to me are really not strictly in order, and I can only answer them by the leave of the Committee. The right hon. Gentleman the Member for Derby suggests that I have proposed that all these derelict lands should be cultivated by the receiver of the County Court. If he likes to make a joke at my expense I have no objection. I never suggested anything so absurd. I admit that before the Report stage we shall have to consider whether or not some addition should be made to the language of Sub-section 2, in reference to derelict lands. But this Amendment does not apply to Sub-section 2 at all. It is a proviso to Sub-section 3, and to that sub-section it has no application of any sort or kind. I appeal to the Committee to proceed to the other clauses, and make progress, instead of continuing this barren discussion.

(9.18.) SIR W. HARCOURT: The hon. and learned Gentleman is mistaken; this question arises on Sub-section 2. Sub-section 2 applies to land occupied by the owner, and an untenanted farm is not occupied by the owner. ["Who occupies it?"] Nobody. Such a case comes under Sub-section 3—"in any other cases"—and that is why these words do not apply to land occupied by the owner. Those words include cases in which land is not occupied by the owner. Rates are levied upon the occupier. If an owner does not cultivate the land, what rates does he pay? He does not pay rates. I remember Mr. Henley telling me that land all round him was allowed to go out of cultivation in 1835, in order that no rates might be paid. To pretend that what is meant by Sub-section 2 is a non-beneficial occupation is to raise a technicality, which is not applicable to a business discussion. Let us treat this on a business footing, and I assert that there is no business man in the County of Essex who will call a man the occupier of a farm if he does not cultivate it or go near it. You may send any number of Attorney Generals down to a market town, but you will not persuade the people that a man is in occupation of a farm if he does not cultivate it or go near it. That is the distinction between practical agriculture and technicality. Let us deal with this matter in language that is "understanded of the vulgar," and not in the *celeris juris* of the Attorney General. Do not let us call people occupiers who do not occupy. I contend that in some form or other you can provide for the matter under this section. Under Sub-section 3 you begin very properly by making provision for the receipt of rents and profits where there are rents and profits. That is quite right. That is one of the other cases. Now we are putting to you a case where there are no rents or profits, where there is no occupation, and where under the old tithe law the tithe owner has the right to go in. I will give you a case where the tithe was much greater than the rent. The tithe owner, that is to say a college, went in and took possession under the Tithe Act of 1836. They were not going to cultivate the land themselves, not even by their bursar, who would be a better man for the purpose than the bum-bailiff of the County Court. They said—"We are the tithe owner and there is no question of the tithe." They induced a man to go into the farm. They said—"We will let you the land, and you shan't be governed by the custom of the country; you shan't be under any restrictions as to the cropping of the land." They could not get a tenant except under those destructive conditions. This is one of the "other cases" which you have not dealt with. You must explain to us who is to stand in the shoes of the tithe owner at present: when it is necessary to take possession of the land which is neither worth the rent by the tenant or worth occupation by the owner.

*(9.28.) MR. C. W. GRAY: I cannot agree with the hon. Member for St. Pancras, that because there are only a small number of cases that will be affected by this Amendment we are not called upon to deal with them. It is just these cases which are the burning cases. We have before us two propositions. The hon. Baronet (Sir J. Swinburne) proposes that the receiver appointed under this Act shall be answerable to the owner of the land out of which tithe rent-charge issues for any injury done the holding, and the Attorney General suggests that we had better not deal with this subject now, because it could be dealt with better on a subsequent clause.

*SIR R. WEBSTER: I pointed out that it must be dealt with by some words in Sub-section 2. The person entitled to possession is the occupier, if it is not held, and that has been decided over and over again.

*MR. GRAY: I thank the hon. and learned Gentleman for the correction. I desire that the point shall be dealt with in the best practical manner possible, but I do not quite understand what is the meaning of the word "must." Will the Government undertake that this matter shall be dealt with in a business-like way on the Report stage? The whole reason shown to the House for the Bill is connected with the collection of the tithe. We are told that circumstances have so altered since the passing of the Tithe Commutation Act that some of the tithe owners are in such a plight that this House should pass a Bill to strengthen their position, and give them the means of collecting their tithe with more certainty than hitherto. But, on the other hand, circumstances have changed also with landlords and tithepayers, and they are in a different position since the passing of the Commutation Act. And just as the one contention on the part of the tithe owners has force, so I maintain the other contention on the part of tithepayers ought to gain attention here. There is no doubt whatever that a number of farms are derelict, or nearly so, that landlords are seriously considering whether it would not answer their purpose better to make them derelict, and so be free from the imposition of tithe and taxes, which are collected so long as cultivation continues. This being so, I may ask the Government to say not only that this question shall be considered on the Report stage, but in what sense they will be prepared to consider it.

*(9.32.) MR. W. B. ROWLANDS (Cardiganshire): I concur with the hon. Member for Maldon in asking the Government to give some more definite indication of the spirit and sense in which they will consider this point. Apart from the matter of cultivation, there is the greatest possible room for danger to be apprehended from an officer of the Court being turned loose as receiver or manager of a farm. I also think the Attorney General has been unconsciously a little impatient in his appeal to us to pass on to another clause, considering the manner in which the Committee have dealt with the Bill, and the progress we have made.

*(9.33.) SIR M. HICKS BEACH: All that my hon. Friend the Attorney General meant was to restrain the Committee from an unpractical discussion. I am sure he did not for a moment desire to suggest that there had been any delay in the progress of the Committee. In fact, we have to thank the Committee for an attentive and a business-like sitting. It occurred to my hon.

and learned Friend that this point does not arise on this sub-section. In our belief, where land is not let to a tenant the owner of it must be the occupier. In other words, he must be rated as the occupier. I have had some little experience on Assessment Committees and matters of that kind, and I am sorry to say I am owner of some unprofitable land, and I know it is impossible to escape rating as such. But the right hon. Gentleman the Member for Derby contends that is not so, and that the case would fall under Sub-section 3. This I will say, that under whatever section it may come, we are quite in accordance with the view the hon. Member for Lichfield suggests, and which I think the Committee will agree with, that the officer of the Court should not waste the land. Now, we believe that he is prevented from doing so by the provisions of the existing law. We will look into the matter, and if the provisions of the existing law are not clearly sufficient under the law controlling the ordinary work of the County Court officials, and we find that additional provisions are necessary, then these additional provisions shall be inserted. I do not think I can give a more definite pledge, and with that understanding I hope the hon. Member will withdraw his Amendment. I am inclined to think the provisions of Sub-section 2 on the point ought to make it clear that where the land in the absence of distraint is taken possession of by the tithe owner under the provisions of the Tithe Act that the tithe owner should cultivate, and not the officer of the County Court. But the matter shall be carefully considered.

*(9.37.) SIR J. SWINBURNE: With this assurance I am content. I want to be assured that officers of the Court shall not pocket the money and allow the land to be spoilt and wasted, doing more injury, perhaps, than can be repaired in half a century. I cannot enter into a controversy upon fine legal points. But from a practical agricultural or pastoral point of view, I know that in many cases small farms have been rendered utterly valueless by the ploughing up of old grass fields. But with the assurance that the point shall be considered I withdraw my Amendment.

Amendment, by leave, withdrawn.

Sir M. Hicks Beach

*(9.39.) MR. S. T. EVANS: The object of my next Amendment is clear, and I think I need only move it.

Amendment proposed, in page 2, line 29, after the word "Acts," to insert the words—

"But such sum shall not be deemed a preferential debt or payment in bankruptcy."—(*Mr. S. T. Evans.*)

Question proposed, "That those words be there inserted."

*(9.40.) SIR M. HICKS BEACH: I think the hon. Member is regarding this as if it were a personal debt, but it is not that; it is a charge on the land, and therefore must have priority over other debts. If the tithe rent-charge were to be dealt with as the hon. Member supposes it should, then it would merely rank *pari passu* with the interest on a mortgage. But it is really a charge on the land before any debts of that kind can be dealt with, and we do not propose to alter it.

*(9.41.) MR. S. T. EVANS: It would also prevent the wages being paid of the persons who created the produce which goes to the tithe owner.

(9.41.) DR. TANNER (Cork Co., Mid): I really think an answer is required. Irish Members have not intervened in this discussion, for as Irishmen they are not interested; but, really, I think that some substantial reason should be advanced in support of the contention, and that the matter ought not to be allowed to go by default in such a great issue as this. There is too little fight on this side of the House in support of the English tenantry. I hope hon. Members will rise to their responsibilities, and try to gain more for those they represent in Great Britain than they seem disposed to do. Something more is wanted from the Government than this brief, rather curt, and obtuse answer.

(9.45.) The Committee divided:—Ayes 67; Noes 143.—(Div. List, No.15.)

*(9.54.) MR. S. T. EVANS: At present the occupier of the land is made to give notice before an order can be made in which he is interested, but I think the occupier ought not to be put to that trouble and expense. My object is to place on the owner, and not the occupier, the duty of giving notice. I hold that as the owner is made liable the duty of giving the notice should rest on him.

Amendment, proposed in page 2, line 34, to leave out the words "he may," and insert the words "the owner of the lands shall."—(*Mr. S. T. Evans.*)

Question proposed, "That the words 'he may' stand part of the Question."

*(9.56.) SIR R. WEBSTER: I should have thought that where the occupier has an interest in the matter he would protect that interest by giving the notice. Personally, however, I have no objection to the method suggested by the hon. Member, but it is a matter for the Committee to decide.

*(9.57.) MR. G. OSBORNE MORGAN: The occupier may not know, but the owner must know, and it must be remembered the occupier may be a poor and ignorant man.

*SIR M. HICKS BEACH: To save further discussion, I am willing to accept the Amendment.

Amendment agreed to.

*(10.0.) MR. G. OSBORNE MORGAN: The object of the next Amendment on the Paper, standing in my name, is to carry out what we are all agreed is the intention of the Act. The words I have put down are borrowed from one of the Tithe Acts. I understand, however, that the President of the Board of Trade has come down prepared to move an Amendment, which will make the clause clear. I will, therefore, only formally move the Amendment, for the purpose of giving an opportunity for discussion.

Amendment proposed, in page 2, after line 37, to insert the following sub-section:—

> "Nothing in this Act contained shall create any personal liability for the payment of any tithe rent-charge in any owner or occupier or other person, or in the executors or administrators of such owner or occupier or other person."—(*Mr. G. Osborne Morgan.*)

Question proposed, "That those words be there inserted."

*(10.2.) SIR M. HICKS BEACH: I am advised that the words of the right hon. Gentleman would not do, because they would include all other persons, and, therefore, they would include the receiver, who of course must be personally liable for the tithe he receives. An Amendment on the subject would, I think, come in better after Sub-section 6, where the hon. Member for Glamorganshire (Mr. S. Evans) has put down his Amendment, and I will read to the Committee the words we suggest for dealing with the point. They are as follows:—

> "Nothing in this Act shall improve or constitute any personal liability upon any occupier or owner of land for the payment of any tithe rent-charge or any other sum which by this Act shall be payable as tithe rent-charge, and the Court shall not by virtue of this Act have power to imprison any occupier or owner by reason only of any such non-payment of any tithe rent-charge or other sum."

*MR. G. OSBORNE MORGAN: As far as I can see at present that will meet the point. But I should like to have an opportunity of considering it more carefully.

Amendment, by leave, withdrawn.

*(10.5.) MR. S. T. EVANS: When we were discussing Sub-section 1 of Section 2 the Attorney General said he was willing to consider any suggested clause respecting the occupier's liability. I think this is the proper place to move an Amendment on the point, and I therefore propose to add to the sub-section—

> "Where in any case any property, right, or interest of the occupier may be affected by any order to be made under this Act, then before that order shall be made there shall be such service of the order on the occupier."

Amendment proposed, in page 2, line 57, to insert at end—

> "Where in any case any property, right, or interest of the occupier may be affected by any order to be made under this Act, then before that order shall be made there shall be such service of the order on the occupier."—(*Mr. S. T. Evans.*)

Question proposed, "That those words be there added."

*(10.6.) SIR R. WEBSTER: The sub-section is inadequate for the purpose suggested, and I would suggest that it should be more carefully considered. We have no objection whatever to the occupier coming forward in cases where he gives proper notice; but the sub-section does not provide for the occupier giving notice that he will appear. I would suggest that the hon. Member should submit his Amendment before the Report stage.

*(10.7.) MR. S. T. EVANS: What struck me was this: that it might appear to the Court that the occupier was interested, and the Court in such a case would not make any order until there had been such service on, and hearing

of, the occupier as is described. I will, however, assent to the suggestion made by the Attorney General.

Amendment, by leave, withdrawn.

(10.8.) SIR ROPER LETHBRIDGE: The object of the next Amendment which stands in my name is to secure uniformity in the Rules of Court throughout the country.

Amendment proposed, in page 2, line 38, after "(6)," to insert the words—

"As soon as may be after the passing of this Act the Lord High Chancellor shall make, and may afterwards vary."—(*Sir Roper Lethbridge.*)

Question proposed, "That those words be there inserted."

*SIR M. HICKS BEACH: I may say that there is uniformity already under the County Court Act. The rules are made by the Judges, and are subject to the sanction of the Lord Chancellor.

SIR ROPER LETHBRIDGE: I should like to remark that the Law of Distress (Amendment) Act, 1888, points to the Lord Chancellor himself making these rules from time to time. It does seem to me that there might be advantages in the Lord Chancellor taking the initiative in the matter, instead of merely accepting the suggestions of a committee of Judges.

*(10.10.) SIR R. WEBSTER: The two matters are not the same. The County Court Judges first make the rules of their own Court, they being conversant with the practical working of the Court. The rules so prepared are then submitted to a Committee, composed of some of the members of the Court and the Lord Chancellor. I venture to think, therefore, that it would be better to leave the matter where it is at present.

Amendment, by leave, withdrawn.

*(10.11.) MR. SYDNEY GEDGE: I would suggest that the word "shall" be substituted for "may," in line 38.

*(10.11.) SIR R. WEBSTER: The word "may" is invariably used, because it points to the making of the rules from time to time. I have glanced at several of the rule-making sections, and I find that that is the word used. I think the section is right as it stands.

*(10.12.) MR. S. T. EVANS: I beg to move the insertion of the words—

"Provided that the total cost of orders and proceedings in any case within sub-section (2) of this section, shall not exceed the amount of costs recoverable in a like case under the Tithe Acts now in force."

The principle of the Bill, we are told, is that the landlord is to be liable for the payment of the tithe. I do not know that it would not have been as well to allow the remedy of distress without the intervention of the County Court in the cases of occupying freeholders. A man tilling his own land ought not to be in a worse position as to costs than he would be in case of distress at present. I do not know what the scale may be, but I think this proviso ought to be put in so that the occupying freeholder should not have to pay more costs than he is liable to at present.

Amendment proposed, at the end of the clause, to add the words—

"Provided that the total cost of orders and proceedings in any case, within sub-section (2) of this section, shall not exceed the amount of costs recoverable in a like case under the Tithe Acts now in force."—(*Mr. S. T. Evans.*)

Question proposed, "That those words be there added."

*(10.14). SIR M. HICKS BEACH: I do not think it possible to agree with this. The procedure under the Bill will be entirely different to that under the existing Statutes. There are different scales, and we propose that the fees should be settled precisely in the way they are settled in ordinary cases in the County Court. The question of the scale of fees in the County Court is important, but, considering the difference of procedure, to say that the County Court costs shall in no case exceed the amount of costs under distraint is a thing I could not agree to.

(10.16.) MR. H. GARDNER: I do not know whether the Government apprehend what the costs will be. This matter does not only affect large landowners, but also small occupiers, of whom there are many in England and Wales. Under the Tithe Commutation Act of 1836, the Attorney General knows the whole costs of recovering a debt of tithe rent-charge amounts to the cost of the statutory notice, which is only 2s. 6d. But if the recovery is to be in the County Court, a small owner, who owes a tithe of £20, will probably have to pay £10 instead of 2s 6d.; therefore, I wish it to go forth to the small owners of the country, that if the Government will not accept the Amendment, they will, by this Bill, be imposing on the tithepayers a fine of something like £9 18s. 6d. in the matter of recovering the tithe rent-charge. I maintain that the Amendment is very important, and it is one which I hope will be pressed to a Division.

*(10.18.) MR. T. H. BOLTON: I hope it will not be pressed to a Division. Under present circumstances I admit that the expense is very small if the amount is less than £20; but where the distress is for more than £20, there is a very wide latitude allowed with reference to expenses. "Reasonable" expenses may mean a good deal. In cases of distress for tithe of £20 and upwards the expense is very considerable, and if you refer to the costs and expenses in cases where possession is taken—where the land is derelict—the costs will be found to be much larger. I have within reach a copy of a bill of costs relating to taking possession of land, and it shows that where the tithe was £5 or £6 the costs were £46, or something of that sort. The present procedure is distress, and failing sufficient to distrain upon, taking possession. That is a different process altogether to recovery by action in the County Court and the appointment of a receiver. In the case of the County Court, tithe actions will have to be fitted in with the ordinary business, procedure, and expenses of the Court. Having every sympathy with my hon. Friend, I cannot go with him in a proposal which is only calculated to embarrass and throw difficulties in the way of the working of the Act.

(10.21.) MR. H. GARDNER: The hon. Gentleman speaks with great authority in the matter, but he has wholly misstated the case. The fact is, that the expenses to which he refers would be incurred in both cases—in the case of the tithepayer under the Tithe Commutation Act and under this Bill. The case I referred to was one in which the expenses under the former were 2s. 6d., and would be under the latter 50 per cent. of the tithe. The contention of my hon. Friend has nothing to do with that case.

*(10.22.) MR. T. H. BOLTON: We are to have the system of applying to the County Court and appointing a receiver, and, of course, must be governed by the rules and proceedings of the County Court, and necessary expenses in the County Court must be provided for.

*(10.24.) MR. S. T. EVANS: My hon. Friend has entirely misapprehended the matter. I would remind him that the clause says that where land is occupied by the owner the order of the Court shall be executed by the appointment of an officer who shall have powers corresponding with those now exercised, so that the proceedings are analogous. There will not be the appointment of a receiver at all in such cases, as he seems to think. There will only be a change in the authority which appoints the bailiff. Now the tithe owner appoints the bailiff who makes the distress, and under the Bill the County Court will appoint the bailiff, but the distress will be the same. All I seek by the Amendment is that the costs shall not exceed those which are now recoverable.

*(10.26.) MR. G. OSBORNE MORGAN: I contend that the costs will be the same, because the processes will be the same.

*(10.27.) SIR R. WEBSTER: There are two objections to the proposal. It has been said that under the Bill the costs will be at least £10, but there is no warrant whatever for that statement. Assuming that the amount of the tithe was under £5, the ordinary County Court costs, including the hearing fee, would only be a few shillings, half of which would be returned. Coming to tithe of £20, £30, or £50, the costs would only be a fraction of what under ordinary circumstances would now be incurred. And there is this further objection: that the proposed Amendment sets up no standard of fees of any kind. The Rule Committee will consider the matter; and having regard to the simplified procedure, the Rule Committee may be safely trusted not to impose extravagant or absurd costs. Everyone who knows the procedure of County Courts must be aware that as regards notices and such things the outside cost will only be a few shillings. The cost should be according to the work done. I cannot sympathise with the action of the member of the legal profession who succeeded in build-

ing up the heavy bill of costs referred to by the hon. Member opposite (Mr. Bolton).

*(10.29.) MR. S. T. EVANS: If the amount of tithe were £6 10s. there would be an entry fee of 8s. and a hearing fee of 14s., without any professional or other charges.

(10.29.) MR. AMBROSE (Middlesex, Harrow): The Amendment would practically kill the Bill, because if the recovered costs were to be limited, the remainder might exceed the value of the tithe. One of the difficulties at present is that the owner finds the cost of recovering tithe exceeds the value of the tithe. If by Act of Parliament the costs of recovery are limited, resistance to the recovery of tithe will be at once encouraged, and that will defeat the object of the Bill, which is to facilitate the recovery of tithe.

(10.32.) MR. ARTHUR WILLIAMS (Glamorgan, S.): The effect of the Bill will be to penalise every yeoman in England and Wales in costs. The old remedy is cheap and easy, although it sometimes imposes costs on the tithe owner to set it in motion. The object of the Amendment will be attained, and the difficulty suggested by the Attorney General will be avoided, by the Rule Committee being instructed to draw up a scale of costs which shall not exceed those under the present system. If the Amendment is not carried tithepayers in Wales will have to make a protest under the coercion and penal pressure of costs.

*(10.34.) MR. W. B. ROWLANDS (Cardiganshire): The argument of the hon. and learned Member for Harrow is that the object of the Bill is to simplify the collection of tithe, and then he goes on to say that the process of increasing costs will facilitate the collection of tithe, which seems to the uninstructed mind a singular conclusion. The costs will either be more under the new system or less. If they are likely to be more, it is our duty to take care that they shall not be; and if they are likely to be less, there can be no harm in accepting this Amendment. As to the argument of the Attorney General, I think he has been answered by my hon. Friend who spoke before me. If we impose on the Rule Committee the power of making a scale of costs we should do so with the instruction that the scale should not be higher than under the present system. Under these circumstances, can any harm be done? I do not think there can. On the contrary; I hold that, as has been pointed out by the hon. Member for South Glamorganshire (Mr. A. J. Williams), in the interests of the Welsh people, this is a most important Amendment, and one which I venture to hope will commend itself to the favourable consideration of Her Majesty's Government.

(10.31.) SIR W. HARCOURT: Sir, I believe that the practical working of this Bill will very much depend on how we deal with this question of costs; for, after all, its practical effect will be not so much how it will affect the large landowners as what effect it will have on the small owners where the amount of tithe payable may be small and the cost of collection proportionately great. This question of costs will, I think, be found, when we have had experience of its working among the smaller owners to be the most material of all. It has been found that in criminal cases as before the Magistrates, where a fine of only 1s. is inflicted, it very often happens that the costs amount to as much as 25s., and that is a circumstance which very seriously compromises the whole question. My great objection to the former Bill was the manner in which it was likely to affect the question of costs. In the former Bill the costs were put upon the occupier. That was a great objection, which of course cannot occur here, because the question is one which now affects the owner. Nevertheless, it is one which may have a serious effect upon the small owner. I venture to warn Her Majesty's Government that the question whether the Bill will do any good or not depends a great deal on how they deal with this question of costs. I would venture, with all respect, to advise the hon. Gentleman the Attorney General, in the conduct of this Bill, to entreat his legal supporters not to argue in favour of anything that is likely to add to the costs or to do too much in the way of crossing the "t's" and dotting the "i's" of this measure, in such a manner as to exhibit the magnitude of all the blots in the Bill. We have had some experience of this sort of thing in the course of the discussions that have taken place this evening. The hon. and learned Member for Harrow has told us that this is a Bill for the collection of tithe, and that we cannot carry this object out better than by increasing the costs. Now, the right hon. Gentleman the President of the Board of Trade has dealt with this Bill in a very reasonable spirit; and if we could only induce his legal supporters not to point out these things in so embarrassing a manner, I think it would be all the better for the progress of the Bill. The hon. and learned Member for Harrow has shown us the animus of the Bill from his particular point of view. He says that at present the costs are light, and the tithepayer is not much terrified by them; but he went on to say that, as compared with the existing system, there will be an increase. That is a course which we on this side of the House will resist to the uttermost. It is contrary to the whole spirit in which we regard this Bill. We have agreed to change the incidence of payment, but have not agreed to make that incidence heavier, whether the amount is paid by the occupier or the owner. And yet here we have it avowed from the other side of the House—from what I may call the tithe owners' party—that their object is that which I have just stated. Let us see how that question regarding costs really stands. Everybody knows that under the existing system there are no costs whatever, except the costs of distress. The costs, therefore, are naturally very light. The question arises, Are the costs of recovering the tithe in the future to be more than the present cost of a simple distraint? If they are, then the tithepayer is by this Bill damnified in his relations to the tithe owner. By Subsection 2 it is provided that the powers of recovery are those of the present Tithes Act. That, I suppose, means the power of recovery by distress; therefore, *pro tanto*, it remains in that respect as at present; but before you go to distraint you have to take proceedings in the County Court. That is a process which you do not go through now; therefore, *plus* the cost of the recovery, you must have the antecedent cost of going to the County Court to enable the distress to be executed; therefore by this Bill you have added to the system of costs by the necessity of going to the County Court. I confess that until I heard the speech of the hon. and learned Member for Harrow, I was not fully alive to the magnitude of the question before us; but now it is made perfectly plain that you will have not only the existing costs in addition to the amount of debt, but also the costs incident to the proceedings that will have to be taken in the County Court. Therefore this Bill, instead of lessening the cost to the tithepayer, necessarily makes it more expensive. I think we ought to make as strong an objection as we can to this part of the Bill, and not have the position of the two parties altered by making the costs heavier.

(10.47.) MR. AMBROSE: The right hon. Gentleman was once a member of the legal profession, and that being so, I think he cannot be serious in saying that the costs were a penalty or fine to be obtained, either by the defendant or prosecutor, as in legal proceedings. The right hon Gentleman has clearly forgotten the original meaning of these costs. They are not a fine or a penalty in any sense. They are an indemnity to the party proceeding, for loss sustained by the defaulter of the party proceeded against. Who causes the costs to be incurred? Not the tithe owner, but the tithepayer, who is absolutely master of the situation. He can pay his tithe and avoid costs altogether. [*Laughter and Cheers.*] I am glad hon. Gentlemen appreciate that point. If the tithe owner, because of non-payment of tithes, has to incur costs, surely it is equitable and just that he should be indemnified. If you alter that principle in any degree you put it in the power of the tithepayer to make the cost of obtaining the tithe so great as to destroy the value of the tithe altogether.

(10.50.) MR. H. GARDNER: I cannot take so pleasant a view of the costs as the hon. and learned Gentleman. As to the statement I made with reference to the amount of the costs, I based it on information given me by a solicitor practising in the County Courts in my own county. Taking the recovery of a debt of £20 on a small farm, he put down the various items, which brought the costs up to £10. I showed the statement to my hon. and learned Friend, who said that the charge was small. I think the Government would do well to follow the golden rule laid down by my right hon. Friend the Member for Derby, that we ought not to add any fresh penalties to those which already existed under the Tithe Commutation Act of 1836. We should endeavour in this measure not to lay any fresh burdens on the tithepayer.

(10.53.) MR. ABEL THOMAS (Carmarthen, E.): Sir, the cost under a distraint for tithe is 2s. 6d. for the ten day notice, the possession money, so much per day, and a small sum for the auctioneer's charges; but by the Government's present proposal of proceedings in the County Court, where possibly counsel or a solicitor would be engaged, the costs would be very largely increased. You have all the costs of an ordinary County Court action added to the former costs. Therefore, whether you call it an indemnity or a penalty matters not, for I would point out that the tithe owner, under this Bill, is put in a better position than before. It is perfectly evident that this section puts the tithe owner into a better, and the tithepayer into a worse, position. I trust the Government will be consistent throughout, and that they will accept my hon. Friend's Amendment, which is to put the tithe owner exactly in the same position after the passing of this Bill as he is now, and which the Government have again and again alleged to be the object of their Bill.

(10.56.) SIR W. HARCOURT: Before we go to a Division we ought to make the position quite clear. If they do not agree that the costs of the County Court shall not be excessive, we must to the best of our power resist Clause 2, which creates the County Court jurisdiction in substitution of the present process. Unless you mean to act adversely to the tithepayer you have no right to introduce a more expensive procedure against him. That is the clear principle upon which we shall, so far as we can, fight this out. All the argument of the hon. and learned Member for Harrow goes for nothing at all. Suppose you took the most expensive tribunal—the House of Lords—where the costs would be several hundreds of pounds. Would not that be an injury to the man whose position you would change in that respect? In a minor degree, if you substitute for the simple process of distress litigation which involves costs to the amount of even £3 or £4, that amount, though apparently little, is large to little men. Unless you will give us a guarantee that this County Court procedure is not going to cost the tithepayer more than the present procedure, you are doing him an injustice. That is a perfectly plain principle. If you will not give us this security, we shall do our best to resist the second clause. The first principle of putting the liability on the tithe owner may remain in the first clause, because that is only a return to the present law, which has been pirated by owners who have contracted themselves out of it. That principle can remain, and the tithe owner—dropping the second clause—can recover as at present. If you want to alter the method of recovery it is only fair to demand that the alteration shall not be such as to throw any additional cost on the tithepayer. That is the plain principle on which I think we ought to go. Is your new method of recovery going to cost more than the old? If it is, then we say it is unfair to the tenant, and we must do our best to prevent such a provision being enacted.

*(11.1.) SIR M. HICKS BEACH: That no doubt is a very formidable threat. As my right hon. Friend has made his position clear, it is only right that I should try to make our position clear. In the first place, we decline to accept the Amendment. It seems to me, with all deference to the hon. Member, absurd to say that when you were changing the procedure in a matter of this kind the costs of the new procedure shall not exceed the costs of the old. If the procedure is different the items of cost must necessarily be different. They may be more or less, but when the right hon. Gentleman asks the Government to guarantee that the costs of the new procedure shall not be more than those of the old, the Government can give him no such guarantee. But this guarantee we can give—that we have no desire to use this new method of procedure as a means of penalising any one. We propose it as a better mode of procedure, but we have no desire that the costs

shall be run up. Our wish is that the costs shall not be one farthing more than is absolutely necessary for the plan to be efficiently carried out. One thing, however, we will not be so foolish as to do—namely, to propose a new procedure, and then to whittle it away by a limitation on the costs which may deprive it of efficiency. I will guarantee that this matter of costs shall be considered by the proper authority—the Rule Committee of the County Court Judges in conjunction with the Treasury—and that the influence of the Government shall, as far as possible, be brought to bear with the view of reducing the costs to the minimum point consistent with efficiency. Below that point we will not go, and we must ask the Committee to support us in that.

(11.4.) SIR HENRY JAMES : Allow me to make a suggestion, which may, perhaps, meet the arguments which have been urged with such force on both sides of the House. I understood that the substitution of the County Court process for the old process was for the benefit of all concerned—of the tithe owner, of the person upon whom the tithe ought to be levied, and of the public, who would be relieved from the pain of witnessing scenes which every one regrets. Please recollect, as a matter of justice, that you are compelling the tithe owner by this Bill to go to the County Court, in his own interest no doubt, but also in the interest of the public. How, then, are the costs to be borne? The argument of my right hon. Friend is that you must make the tithe owner pay the additional costs, and that the increased burden shall not be cast upon the poorer person. But it is unjust to make the tithe owner go to a tribunal for the benefit of the public, and then to make him bear the increased costs; to say, in fact, "You are to go for the benefit of the public to the tribunal we appoint, but the increased costs shall not be borne by the tithepayer." I feel, however, that one thing might be done to mitigate the hardship. The Government might say that the costs shall not exceed the sum mentioned in the schedule, and in that schedule they ought to make plain what the costs will be. If they cannot be reduced to 2s. 6d. they might be reduced o a very low standard. If the Government will bring up on Report a Schedule showing that the costs will be reduced to a very low standard, I do not fear that any great burden will be cast on the tithepayer.

*(11.6.) MR. H. H. FOWLER (Wolverhampton, E.) : I join issue with my right hon. Friend as to for whose benefit this Bill has been brought in. The tithepayer did not ask for it, the country has not asked for it, but the Bill is one solely and entirely in the interests of the tithe owner. Under the Act of 1836, the tithe owner had no person liable to him—neither the landlord nor the tenant—for the payment of tithe. He simply had a charge on the produce of the land, recoverable by distress, and nothing more. We are quite content to go on under the Act of 1836, but the tithe owner says—"No, I want security, and I want the mode of collecting my tithe facilitated." One hon. Member has stated in the course of the Debate—I do not know with what accuracy—that the introduction of this Bill has already had the effect of nearly doubling the value of tithes in the market. That may be right or it may not; but, undoubtedly, the position of the tithe owner has been much improved, because he gets some one responsible for the payment, and that he never had before.

*MR. SYDNEY GEDGE: No.

*MR. H. H. FOWLER: Well, I do not know if the hon. Member opposite thinks the landlords of England are not responsible. I believe that those gentlemen will send the cheque for the tithe as regularly as they pay their butchers' bills. But we are not dealing with them; we are dealing with the case of the small yeoman owner, who is himself the occupier. You are going to make him liable to this additional procedure, and the proposition now before the House is that that the costs of the new procedure shall not be greater than those of the present system. The right hon. Gentleman the Member for Bury suggests there must be more costs. Why?

SIR H. JAMES: The change is for the benefit of the public.

*MR. H. H. FOWLER: This is a question between the Treasury and the tithepayer. At present there is a profit on County Court fees which goes into the Imperial Exchequer. I agree that you do not want to employ lawyers in cases of this kind any more than you do in Courts for the recovery of small debts. But there is no reason why you should impose fees which will add to the revenue of the country. You are putting the tithe owner in a far better position than he ever held before, and you are making his property practically safe. You ought not, then, to impose an additional burden on the tithepayer. Unless the Government are prepared to proceed on the lines suggested by the right hon. Member for Bury we must go to a Division.

(11.10.) MR. RANDELL (Glamorgan, Gower): This question of fees, in the light of those now charged in the County Courts, becomes very important. Take the case of a man suing for a sum under five guineas. The total costs which are allowed amount to £2 17s. 6d., and in addition many other costs may be incurred for witnesses and travelling, as the plaintiff may have to travel miles to the Court. I maintain that unless the Government give a special scale of fees in all cases where the tithe-charge is small, the costs will equal, and even exceed, the amount of the tithe.

*(11.12.) MR. SYDNEY GEDGE: I should like to explain that I did not say the landlords were not a responsible body; all I said was that they were not personally responsible for the tithe. The right hon. Gentleman the Member for Wolverhampton showed his ignorance of the Bill by suggesting that it would throw the responsibility personally on the landlords. I say it does nothing of the kind. With regard, however, to this particular matter of fees, those of the County Court are undoubtedly too high. I hold there ought to be a Schedule to this Bill fixing the fees at a very low figure. But it must be remembered it is impossible for the tithe owner, when endeavouring to recover the tithe, to control the amount of costs; that depends on the manner in which the defendant resists the claim, and if it were to go forth that in all cases the tithe owner would have to pay the costs above a certain amount, it might lead to an increase of costs by the defendant obstinately fighting what was a just demand, and it would thus prevent the recovery of the tithe, because the costs would exceed the amount of the tithe owner's claim.

(11.15.) SIR W. HARCOURT: My right hon. Friend the Member for Bury has proposed that there should be a Schedule attached to the Bill. But what is it to contain? Extra costs—costs other than those of levying a distress. The whole of the costs of the County Court will be costs which are not now incurred, and therefore we have the fact that whether the fees be large or small you are putting an additional burden upon the tithepayer. I must recognise with gratitude the assistance given by the hon. and learned Gentleman the Member for Stockport. He showed that the costs must be raised to a very large extent under this Bill. If these extra costs are incurred in consequence of the introduction of this County Court procedure they ought to be paid by the men who benefit by the change of procedure, and those men are the tithe owners. That is the simple issue before us.

*(11.17.) MR. S. T. EVANS: The right hon. and learned Gentleman the Member for Bury says the proceedings are totally different, but they are not different in the case in respect of which I propose this sub-section, except so far, that the County Court Judge will appoint the bailiff, instead of, as now, the tithe owner. The only costs now recoverable are the costs of distress. The legal advisers of the Government ask—Who are to pay the extra costs? I think that people who benefit by the new procedure ought to. Now it is clear that the tithe owner is the only person who will benefit. The landlords do not like the Bill and the tenants do not want it. It has been brought in solely in the interests of the tithe owner. The Prime Minister when he introduced his Bill in the House of Lords in 1887, proposed that inasmuch as the tithe owner was getting an easy, instead of an awkward, method of procedure, he should abate his claim 5 per cent. The Prime Minister went on to say that it was very much better for the tithe owner that he

should go direct to the land owner for the tithe instead of to the occupier, and it was proposed to recognise that by allowing the land owner 5 per cent. discount. I believe the proposal was once to make the discount to 10 per cent. Surely, it might reasonably be arranged that the County Court fees should be paid instead of the discount? The hon. Member for Harrow suggests that the costs should be made so heavy as to frighten a man into paying without the necessity of having recourse to the County Court. But let me remind him that a discussion has already taken place about the County Court Judge being allowed to order payment of the tithe by instalments. We hear a great deal of agricultural depression, and is it not possible that some of the small owners may be desirous of going to the County Court simply to get an order that the tithe may be paid by instalments? Why in that case should the costs be made heavy? As to the suggestion that a Schedule should be attached to the Bill, I would withdraw in favour of that, providing that the principle is acceded to that the costs under the new procedure should not be heavier than those under the old.

(11.21.) MR. F. S. STEVENSON: We have as yet had no reply from the Government to the suggestion of the right hon. and learned Gentleman the Member for Bury. It is a remarkable fact that as the Debate proceeds the objections urged against the Amendment gradually disappear. In the first place the difficulty was raised of want of uniformity of standard, and it was suggested that each County Court Judge would take a different view on the question of costs. But it has since transpired that the County Court Judges are to meet together as a Rule Committee, that they will report to the Lord Chancellor, and that thus uniformity will be secured. Is it not possible for the County Court Judges to ascertain the average costs incurred under the present system, and to draw them up in the form of a Schedule to be submitted to this House? That is, as I understand, the suggestion of the right hon. and learned Gentleman the Member for Bury. I should be inclined to support that, but the Government show no sign of agreeing to it. The obvious inference is that if they refuse that offer, and if they increase the costs by changing the procedure, our contention is justified that the Bill was introduced in order to confer tremendous advantages on the tithe owner. The Government, when that contention was first raised on this side of the House, denied it but their conduct shows how well founded the charge is. There is the prospect that in some cases the costs will be in excess of the tithe, and it is to guard against that contingency that this Amendment is proposed. I still hope that the Government will accept the suggestion of the right hon. and learned Gentleman the Member for Bury, and make it clear that in no single instance will the costs imposed on the tithepayer be enhanced or increased by this Bill, which has been introduced for the advantage of the tithe owner, and is in every way to the disadvantage of the yeoman farmer.

*(11.25.) SIR J. SWINBURNE: Let us try and see clearly how things stand. The right hon. and learned Gentleman the Member for Bury has tried to persuade the Committee that this is a magnanimous act on the part of the Government; that it is a great gift to the public, to the tithe owner, and to the tithepayer. But who wants the Bill? The tithepayer does not, neither does the landlord. It is the parson and the Prime Minister who want it. And in order to secure these great benefits to these two parties the tithepayer is to be mulct in heavy fines in the shape of costs on every possible occasion. And that is not all. The tithe owner is to have the tithe collected for him free of cost, whereas he now pays 5, 6, and sometimes 10 per cent. to an agent for collecting them. His rates, too, are to be paid in advance by the landed proprietor or occupier, and some three or four months will elapse before the tithe owner is called upon to repay them. He has the highest security conferred on him, and I am informed by competent authorities that if this Bill passes the value of the tithe will be increased from 75 to 100 per cent. It appears to me that the Government, knowing that they have a strong majority, decline

to listen to reason or argument, but intend to force the Bill through.

*(11.28.) **Mr. W. B. ROWLANDS**: I hope the Committee will bear in mind that there are some small owners and occupiers who really cannot pay the tithe, and who ought not to be punished by the infliction of heavy costs. It seems as if hon. Members are arguing this matter on the assumption—a most mistaken one—that every man who will be taken to the County Court is a wicked person who declines to discharge his just obligations. I say that the majority who do not pay are actually unable to do so, and that makes it imperative that the costs of the new procedure should not exceed those of the present system.

*(11.30.) **Mr. PRITCHARD MORGAN** (Merthyr Tydvil): It is to my mind apparent beyond all question that the Government have in view two objects—one being to create costs, and the other to put the tithe owner in the position of prosecuting the person who is liable to pay the tithe for any assault or battery or any disturbance which may take place in the course of carrying out the process of a Court of Common Jurisdiction. The Government say in effect: "If you will not pay these tithes willingly, whether you are in a position to pay them or not, we will at least double them." I have in my hand the scale of fees recoverable in County Courts in cases exceeding £10 and not exceeding £20, which I apprehend would be about the average under this Bill. I find that for preparing particulars of claim 4s. may be charged; for preparing further particulars, 2s., or 8d. per folio; for a summons to each witness, 2s.; a summons in chambers, 2s.; preparing notices, 3s.; preparing all affidavits, 5s.; preparing all interrogatories to witnesses, 5s.; instructions for counter-claim or to sue or defend, 3s. 4d., or 5s. 8d.; brief to counsel 30s. and fees to counsel £3. Now all these costs are to be incurred when there is no earthly necessity for it, because, after all these proceedings in the Court, it is necessary to fall back upon the remedy that exists to-day of putting a distress in. Let the person who is to be benefited by this legislation—the tithe owner—pay for it, and do not saddle the unfortunate tithepayer with double the amount he is liable to pay already, because if you do you will be going far beyond the intention of lawmakers in times past when these tithes were created.

*(11.34.) **Mr. J. BRYN ROBERTS**: This Amendment does not appear on the Paper, and I think the Committee have lost sight of this point. It only deals with the costs in cases where the owner is also occupier. It does not extend at all the general class of cases contemplated by the Bill where a receiver is appointed of the rents and profits. The process in this case will be the same as at present, except that the receiver will be appointed by the Court. I have not heard any argument at all why in such a case the costs should be increased, and I think there should be some provision against an indefinite increase of the costs.

(11.35.) **Mr. W. ABRAHAM** (Glamorgan, Rhondda): We were all very glad indeed at the commencement of this Debate this evening to think that the Government were endeavouring to do justice to the people. One thing, however, has been made evident—namely, that the Government have either forgotten or neglected any provision for that class of men who fail to pay their rents, although they have provided for the case of men who refuse to pay tithe. Some Members have used strong language as to the injustice of refusing to pay just, legal debts, but there has been nothing said at all of the injustice of imposing these debts on men who receive nothing for them. The House ought to appreciate the opposition of the Welsh Members to this clause when it considers that it is bad enough as it is to have to pay tithe without receiving any equivalent, and it makes it still worse to have the costs increased.

(11.38.) **Dr. TANNER**: The right hon. and learned Gentleman the Member for Bury (Sir H. James), who has been one of the saviours of Her Majesty's Government, one of the crutches on which Her Majesty's Government leans, has addressed a remonstrance to them to-night, and they have remained dumbly silent. They were content to remain silent, as they could not trust to the force of their arguments, or to the strength of their position as regards common sense. I do not like to see Her Majesty's Government so supinely ridiculous. I should at any rate have hope that when the right hon. and learned Gentleman the Member for Bury got up and asked them a proper and fair and legal question he would have been properly replied to by the Attorney General. We have listened to many arguments to-night. We have heard the hon. Member for Harrow who, when he was tackled, gave up his position. I sincerely hope he will go into the lobby with us. At any rate I think the Committee are entitled to some reply to the question addressed to them by the right hon. Gentlemen the Members for Derby and Bury. The Prime Minister has shown his attachment to this Bill, his foundling, by putting it before the Irish Land Bill. I object to it being carried *nolens volens* through the House without sense and without argument, and in order to give the Government an opportunity to reply to the arguments advanced from these benches I beg to move that you, Sir, do now report Progress.

Dr. TANNER moved, "That the Chairman do report Progress, and ask leave to sit again;" but the CHAIRMAN being of opinion that the Motion was an abuse of the Rules of the House, declined to propose the Question thereupon to the Committee.

(11.45.) The Committee divided:—Ayes, 102; Noes, 170.—(Div. List, No. 16.)

Committee report Progress; to sit again upon Thursday.

BUSINESS OF THE HOUSE.

*(11.55.) MR. H. H. FOWLER: May I ask the First Lord of the Treasury whether he intends the Committee to be the first Order of the Day on Thursday, and if that is so, what will be done with the four Orders relating to Irish land?

*THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): Those Orders will stand further postponed. The Government will proceed with this Bill until it is finished.

DR. TANNER: At what time will the Irish Land Bill be taken?

*MR. W. H. SMITH: I hope this Bill will be concluded without much delay. It is not in my power to say when the Land Bill will be taken.

*MR. H. H. FOWLER: Do we understand that the Report stage of this Bill will immediately follow the Committee, that is, assuming that the Bill passes through Committee on Thursday, will the Report stage be taken on Monday?

*MR. W. H. SMITH: Yes.

ORDERS OF THE DAY.

POLLEN FISHERIES (IRELAND) BILL.

(No. 91.)

COMMITTEE.

Bill considered in Committee.

(In the Committee.)

Clause 1.

Question again proposed, "That Clause 1 stand part of the Bill."

DR. TANNER: I beg to move that you do report Progress. I should like to hear something from the hon. Gentleman (Mr. Macartney) in charge of the Bill by way of explanation. Up to the present we have heard nothing, and I learn from several friends in the North of Ireland that the Bill is not by any means a satisfactory measure.

Motion made, and Question, "That the Chairman do report Progress, and ask leave to sit again,"—(*Dr. Tanner*,)—put, and agreed to.

Committee to sit again upon Monday next.

TEACHERS' (REGISTRATION AND ORGANISATION) BILL.—(No. 156.)

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Sir R. Temple.*)

(11.59.) MR. J. R. KELLY (Camberwell, N.): I regret that my hon. Friend has brought this Bill on at this hour. The Bill affects a large number of persons. I think it would be very desirable that every educational institution of the country should be under some control, but if we are to control schools, let us control them all. I have read the Bill, and I confess I have great difficulty in ascertaining what——

Objection being taken to further Proceeding, the Debate stood adjourned.

Debate to be resumed to-morrow.

SCHOOL BOARD FOR LONDON SUPERANNUATION BILL.—(No. 49.)

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Sir R. Temple.*)

(12.0.) MR. J. R. KELLY (Camberwell, N.): This Bill is of the utmost importance to Metropolitan Members. In the principle I think we are all agreed, but it is a Bill as to which a great deal depends on the ratepayers. I would ask the First Lord of the Treasury, in view of the fact that much depends on the amount of the deductions from the teachers' salaries and the liability of ratepayers, whether he will consent to the Bill being referred to a Select Committee?

*(12.1.) THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): I understand that my hon. Friend in charge of the measure desires to have the Bill sent to a Select Committee, and if the Bill is read a second time, such a course will be taken before further progress is made with it.

(12.1.) MR. F. S. POWELL (Wigan): I must object to the Bill being further proceeded with at this hour.

Debate adjourned to this day.

MOTION.

CITY OF LONDON PAROCHIAL CHARITIES ACT, 1883 (CENTRAL SCHEME).

RESOLUTION.

*(12.5.) SIR R. FOWLER (London): I regret to have to trouble the House at this late hour, but this is a matter most important to my constituents, and this is the only opportunity we have of calling the attention of the House to this scheme. In the first place, I wish to say for myself and those I represent in the matter that we do not object to the scheme as a whole. These is much that is of value in it, but there are serious objections which it is my duty to bring before the House in regard to some of the details of the scheme. One hundred and three parishes are affected by the scheme, and, while it is impossible for me at this late hour to go into all the points involved, I cannot refrain from complaining that Her Majesty's Ministers have declined to receive a deputation of the bodies who have objections on matters of detail to urge on the attention of the Government. On the 8th of December last, I asked the Vice President of the Council a question on the subject, in reply to which he reminded me that I should have an opportunity of moving an Address in the House; that a scheme would be published and a hearing given to the objectors. My right hon. Friend could not have been aware of a letter addressed to the Clerk of the Corporation of London by the Secretary of the Council, in reply to a letter from the Corporation requesting to be heard, with which their Lordships expressed their intention to publish the scheme without delay to allow Parliament time to consider it during the present Session, and further that their Lordships did not propose to receive any deputations on the subject. I cannot complain in one sense that Lord Cranbrook and my right hon. Friend, hard working Ministers of the Crown as they are, should be unable to go into these details. Obviously when there are some fifty bodies having special objections to urge on matters of detail in the scheme, it could hardly be expected that the Minister for Education should go into all these, but if the Vice President and my noble Friend (Lord Cranbrook) were too greatly employed, at least some other and less occupied Members of the Government, like the Lord Privy Seal or the Lords of the Treasury, or a permanent official of the Crown, could have been deputed to examine the questions raised by the various parishes interested. It will be remembered, that in Debates in the House, when the office of Lord Privy Seal has been called in question, it has been argued for the retention of the office that it was desirable there should be some Member of the Government free from official cares, in order that he might take in hand some special

subject. At all events, I do not think it was consistent with the known courtesy of the noble Lord and my right hon. Friend that the Department declined absolutely to receive any deputations. May I remind the House that many of the questions are raised with regard to properties bequeathed to the parishes by benevolent persons who lived in them in former generations? Legacies have been left not, perhaps, in accordance with the views of the present day, but at all events, this property was designed for the benefit of the persons among whom those making the bequests lived, and their representatives now are surely entitled to be heard, and their representations considered by the Government. I know that the Corporation and many of the parishes have made representations asking for favourable considerations at the hands of the Government. It must not be overlooked that the Corporation and the City parishes, generally speaking, do not object to the scheme as a whole, but only to the absence of provisions in respect of objects specially defined by the Act under which the scheme is framed. I will take two or three instances of particular parishes which should have been considered, having regard to the charitable work already being done, and in connection with which no provision has been made for the continuance of such work. There is, for example, the parish of St. Michael, Cornhill. For years past the parish trustees, with the full approval of the Charity Commissioners, have annually distributed a sum of £350 between the London Hospitals—St. Mary's Hospital, King's College Hospital, the London Orphan Asylum, the London Ophthalmic Hospital, the Royal Free Hospital, and one or two other similar institutions. I appeal to hon. Members whether these are not objects well deserving of support. Yet, although the Charity Commissioners have been reminded of this hospital work, and have been asked to afford facilities for the continuance of it, no provision is made in the scheme for the purpose, notwithstanding the all-important fact that the Commission were directed by the Act passed under the auspices of the hon. Gentleman I am glad to see opposite (Mr. Bryce) to have special regard to the wants of the poor in connection with the formation of convalescent homes, provident institutions, and the like. Of the parish of St. Sepulchre I will not say much, because my hon. Friend who is to second the Motion will deal with that particular case; I would only say that that is a parish having a large number of poor who have been wont to receive relief from these funds, and it certainly seems to be only fair that they should continue to do so during existing lives, and that they ought not to be deprived of what has been a source of income for many years. Of course as they drop off, I do not ask that successors should be appointed, and year by year the means in the hands of the Commissioners will become larger. There is another Petition presented from St. Mary-at-Hill, where no allowance is made for the benefit of the parishioners. I will not go into ecclesiastical questions, several of which arise. In the parish of St. Anne's, Blackfriars, in the same way, there are many deserving objects on whose behalf the funds of the parish could still be usefully employed, including a fund for the relief of poor widows. In St. Benet's there is a sum of £150 usefully employed, and in St. Mildred's, Poultry, there is a fund to be alienated by the scheme which might be very usefully employed for the relief of necessitous persons, and prevent such from applying for parochial relief. In Allhallows' again, and in other parishes, funds have been provided by the benevolent in former generations, and I do not like to see such funds taken away from those by whom former generations wished them to be appropriated. These are illustrations of the way in which the scheme works. I will not multiply instances, for it is late, and I know many Members desire to speak. All I wish to say is that we desire a full and impartial inquiry, which we consider we have not had, at the hands of the Education Department or the Charity Commissioners. The Commissioners have adopted the scheme on the Table of the House, and they have told complainants they may appeal to the House of Commons. I appeal to the House of Commons accordingly. I ask the House not to sanction the scheme, but let the Education Department go carefully and fully into it. Those whom I represent on this present occasion are ready to be bound by the objections they have raised; they will not raise any new objections; and on those grounds I earnestly appeal to the House not to sanction the scheme which lies on the Table.

Motion made and Question proposed,

"That an humble Address be presented to Her Majesty, praying Her Majesty to withhold Her consent from the scheme of the Charity Commission now before the House for the management of the Charities comprised in Statements VI. (1) to (15), VII. and VIII. under the above Act."—(*Sir Robert Fowler.*)

(12.21.) MR. DIXON-HARTLAND (Middlesex, Uxbridge): In seconding the Motion, I wish to say that people in the City feel that they have not been properly treated, because they have not been allowed to place their views before the Charity Commission. The Act provides in the 25th Section that objections and suggestions shall be received during two months. It is perfectly true that it says "in writing," but it does not mean in writing to be consigned to the waste-paper basket. We have positive knowledge that suggestions which have been made have not been properly considered by the authorities. In one parish in which I am interested an objection was sent signed by more than 1,000 persons, and asking permission for a deputation to attend before the Charity Commissioners, but the objection was never considered, and the objectors were never allowed to appear in any form. We maintain that the Commissioners have exceeded their powers. The parish of St. Sepulchre the Commissioners have arbitrarily divided into two parts, and they have allocated a great deal too much to that part of it which lies outside the City, but in the County of London. This is not a change which can be justified by the Act. There are in the parish 5,000 or 6,000 poor inhabitants, and these are deprived of their share in the funds for the assistance of education and local charitable institutions. If this scheme becomes law now without being sent back to the Charity Commissioners, the parish will be deprived of all remedy, but I hope the House will agree to send back the scheme so that these matters of complaint may be thoroughly investigated.

(12.25.) MR. J. STUART (Shoreditch, Hoxton): For the convenience of the House, I may say that I shall move the Resolution of which I have given notice in the form of an Amendment to the Motion of the hon. Baronet, and I and those who act with me intend to vote against the Motion of the hon. Baronet. It may perhaps be for the convenience of hon. Members if I as briefly as possible explain what the Commissioners propose to do by this scheme. They have in accordance with the Act of 1883 divided the charities of certain parishes into two portions—a general portion and an ecclesiastical portion, allocating to the former £56,000 a year, and to the latter £35,000. They have laid aside a capital sum of £300,000, £150,000 of which they propose should be devoted to the preservation of open spaces in the Metropolis; £80,000 they intend to devote to two institutions in Bishopsgate and Cripplegate, and £51,000 to City polytechnics; £24,500 will be devoted to other polytechnics, with which the scheme properly deals. The scheme assigns for the maintenance of certain polytechnics and other institutions £22,500 a year, to which may be added another £5,000 a year which it is proposed the new governing Body shall bestow on similar institutions to be determined by it. A sum of about £6,000 is allowed for compensation for vested interests. A margin will be left of about £10,000 a year to be disposed of by the governing Body. Although the scheme is open to criticism, it undoubtedly provides for the useful application of a fund which is at present not usefully, and is in many respects badly, applied. Some references have been made in a statement that has been handed round to the small sum that is to be given to the poor in City parishes. Well, poor were to be found in those parishes when these funds were left, but the City has excluded them, and as the rest of the Metropolis has to pay for them, we say that these funds ought to follow them. Although some improvement might be made in the scheme, on the whole, as far as the General Funds go, I and my friends approve of it. It takes the funds from the City where they are useless and uses them for the Metropolis as the Act directs. But when we come to the disposal of the ecclesiastical funds I have a very different story to tell. There is, as I have indicated, about

£35,000 a year to deal with. It is dealt with as the Act directs. The Act directs the Commissioners to apply the property which is scheduled as ecclesiastical property to the maintenance of the fabric and the services of the church, if any, in any parish possessed of ecclesiastical property applicable to such purposes, and then it goes on to state that the rest of the funds not so applied shall be paid to the Commissioners for use in the Metropolis generally. There are in the 106 parishes of the Metropolis 55 churches, with stipends attaching to them amounting to between £31,000 and £37,000 a year. Sir Henry Peek has taken a census of their congregations on a particular Sunday, and he gives the total attendance as 4,837 persons, almost half of whom were officials, so that 2,784 represented the general congregation. These churches serve a series of parishes whose population amounted in 1881 to only 29,000, and has no doubt fallen since then, seeing that the population of the City has been steadily decreasing. In 1861 the population of the City was 113,000, in 1871 it had fallen to 75,000, and in 1881 to 50,000. As this diminution of the City population has been going on since the Act was passed, the state of things provided for under the Act has become still more serious. I will now tell the House very briefly how the Charity Commissioners propose to deal with the funds. In the first place, for the repair and restoration of a certain number of the churches, they set aside a sum of £45,000 capital to be paid off in ten equal yearly instalments. In the next place, there are to be certain other payments to specified persons amounting to £4,500 a year; and lastly, they propose to make a perpetual addition to the endowments of £1,573 a year, and to allot £16,200 for the maintenance of the churches and services. What I submit to the House is that under the circumstances these are extreme sums to allow for the carrying out of the purposes of the Act. In fact, there will be less than £10,000 a year—I am told and believe there will be little over £5,000—utilisable for the general ecclesiastical purposes of the whole of the Metropolis out of this sum, although we all of us receive day by day urgent, necessary, and proper claims for many of these purposes outside the City. Let me show why I can justly object to the action of the Commissioners. Let me give one or two instances of the way in which the scheme will work. The income of the rector of St. Mary Abchurch is variously estimated at £584 and £206 a year. The population of that parish has diminished from 497 in 1861 to 236 in 1881, and at the time Sir Henry Peek took his census, the congregation consisted of 28 persons. Yet it is proposed to add £180 a year to the stipend of the Incumbent, and to expend £1,310 upon the restoration of the church. The stipend of St. Michael, Wood Street, is at present £305 a year. The population of the parish has decreased from 375 in 1861 to 172 in 1881, and the congregation at the time of Sir Henry Peek's census amounted to ten persons. Yet an addition of £100 a year is to be made to the salary of the Incumbent. If you take the number of persons these churches supply, and if you consider that £16,000 is, in addition to what I have referred to, to be spent on the maintenance of the services in these churches, you will see that a sum is being spent which is far beyond the necessities of the case. Even if the terms of the Act of 1883 do require this extreme misappropriation of these ecclesiastical funds, or even if the Commissioners can make out a good case for what they have done—and I think they cannot—all I can suggest is that it would be far better and wiser of the House to suspend that portion of the scheme until some Act dealing with the subject can be passed through the House. If the House agrees to this Motion, it will agree to some such Act, which will set the Commissioners free to deal with this matter, if they are not free at present. The maintenance of these 55 churches in the City of London is an anomaly and a mistake. No doubt some are of great architectural interest, and some are, in fact, required by the spiritual needs of the City, even with its reduced population, but having regard to the facts I have pointed out, I should be glad to see some Act of Parliament passed to enable the Commiissioners to deal with the whole of the case. It has been urged on me by some well-fitted to argue the matter, that if I were to succeed—as I hope I may—in getting the House to assent to the Motion which I shall humbly make, to ask Her Majesty to refuse her consent to this ecclesiastical portion of the scheme, I should thereby destroy the whole of the scheme of the Commissioners ["Hear, hear!"] Somebody says "Hear, hear," but that is not so. The Act distinctly provides for Her Majesty's assent being withheld from certain portions of the scheme, and the remainder being nevertheless adopted. The scheme is made in what I may call water-tight compartments, so that it is extremely easy to indicate in the House what portions of it are covered by specific objections. The part I object to is covered by specific clauses, and it is possible to hang up certain portions of the scheme to be dealt with in this Act or an amended Act. It has been urged on me that there is another clause in the scheme which I now refer to—Clause 5—which provides expenses under this Act, and which divides them into two portions, one portion of £24,000 to be charged with the ordinary general funds and the other portion of £16,000 to be charged on the City Church Fund. That division can in no sense hang up or hinder the whole scheme, because I find, under the Act I hold in my hand, that the expenses are so arranged that they may be defrayed in the first instance out of money to be provided by Parliament which shall be ultimately repaid. If we reject this part of the scheme which applies to the ecclesiastical portion of the charity, then Parliament has only, in the meantime, to meet the expenses which will ultimately be repaid by the Commissioners when the scheme is finally carried out. I have endeavoured to condense the rather complicated statistical matters I have dealt with as much as possible, considering the time of night. I will not delay the House by one single extra word, but will sit down, moving as an Amendment that the following words be added:—"So far as the said scheme relates to the City Church Fund." The effect of that Amendment will be that those who vote for it will object to the particular portion of the scheme that effects the ecclesiastical funds. I hope the House will carry that and will assent to the other portions of the scheme, of which I heartily approve.

Amendment proposed, at the end of the Question to add the words "so far as the said Scheme relates to the City Church Fund."—(*Mr James Stuart.*)

Mr. J. Stuart

Question proposed, "That those words be there added."

(12.50.) MR. BRYCE (Aberdeen, S.): I will not, at this hour, take up the time of the House by dwelling on the case of the City churches, which has has been so ably dealt with by my hon. Friend the Member for Shoreditch, but I cannot refrain from bearing my testimony to the accuracy of his statement. It is true that the funds spent out of the Parochial Charities are, to a great extent, wasted. Some of the churches, it must be borne in mind, have congregations of under 20 persons, consisting very largely of officials. The total population of the inner parishes of the city is only about 30,000, and out of this sum of £35,000, which constitutes the ecclesiastical income of this fund, it will, under the scheme as it stands, now be possible to apply only about £5,000 to general ecclesiastical purposes throughout the Metropolis. It does seem a great pity that with the need that exists for the building of new churches and the establishment of new parsons throughout the whole of the Metropolitan area, we should only be able to spend £5,000 out of the large revenue of £35,000 for the general purposes of the Metropolis. This view is confirmed by the Commissioners themselves. In the Blue Book which has been presented may be seen the answers given to the representations of the County Council, the Commissioners implying that they would have exercised a wider discretion in favour of the general spiritual needs of the Metropolis if they had not felt themselves barred by the Act. But the Act is not equally binding on the House. The House itself may very well, in the fuller light which eight years have produced, review the Act it passed eight years ago. But what I am more concerned in at the present moment is to make a few observations on what has been said by the hon. Gentleman the Member for the City of London and the hon. Member who seconded the Motion. What is the fact as to these Charities? The present scheme may not be perfect, but it certainly is an enormous improvement on the old state of things—as, indeed, is admitted by the hon. Baronet himself—and I would like to put to the House a question. The contention that he raises now on behalf of his colleagues, the trustees of 50 churches, is simply the objection made when the Bill was before the House. It was before the House three years. The Bill was brought in in 1881 and was fought in that year and also in 1882 and 1883. Besides that, it was fought hard in two Select Committees. Very much the same arguments that are used by the hon. Baronet now were used by hon. Members who sat up until the small hours of the morning then. The 14th section of the Act says that the property that constitutes the Church Fund of all these parishes—that is, all but five populous ones—shall be applied in three ways: first, to such of the purposes now existing as are beneficial; secondly, to other purposes which are beneficial. At the present moment the funds are not available to those who used to reside in these parishes, because they have been practically denuded of their poorer population.

MR. DIXON-HARTLAND: Not all of them.

MR. BRYCE: I do not speak of the five outer parishes; but the parish of St. Sepulchre Within, under the jurisdiction of the Commissioners, has only a population of 2,000 As it is, the purposes to which the funds are applied are mainly in the nature of doles and small gifts of money. The Commissioners have continued pensions during the lifetime of their recipients, and beyond this the funds go to a large extent in salaries to officials; for instance, to vestry clerks and other officers, while a considerable amount is expended on dinners, luncheons, and the supply of refreshments consumed by officials on various occasions.

MR. DIXON-HARTLAND: That is not the case now.

MR. BRYCE: Yes, I assert it is the case now, and that it is the case in the parish of St. Sepulchre itself; and I may tell the House, as the case of the parish of St. Sepulchre has been brought up, that the vestry clerk there is in the habit of receiving £500 and the sexton £40 a year. It is, in point of fact, the vestry clerk and other officers who are really receiving the main benefit of these charitable funds, and it is they who are now complaining of being deprived of the enjoyment of their privileges. The case which they endeavour to make out is that the expense of administering parish affairs has been legitimate, and that those affairs cannot continue to be properly administered unless the funds are appropriated as hitherto. The simple answer to that, however, is, how do other parishes that have not charity funds at their disposal contrive to pay their officials? But the fact is, that a large portion of the work now discharged by the parish officials will henceforward be taken away, and this will do away with the necessity for continuing those payments, though why the parishes themselves should not bear the expense of discharging their own business I am unable to conceive. To apply charity funds in the manner already pointed out is not charity; it is simply a method of relieving the rich from burdens which they ought properly to bear, out of the funds which are taken for that purpose from the poor. As those funds were intended for the poor, I trust that this House will do the best it can to see that they are administered. Would it be believed that, as things are at present, the poor have no share whatever in these funds; and I think if hon. Members will take the trouble to refer to the Report of the Commissioners, as the result of the inquiry they have instituted, it will be found that evidence to this effect was given before those gentlemen. The officials have sought to show that the application of those charity funds to the poor is not beneficial to that class, and they desire that they may continue to use the money as they have hitherto done. We, on the other hand, desire to see it applied to better purposes. We wish to create in this Metropolis institutions such as polytechnics and free libraries, which will be for the real benefit of the poor of this City, by conferring upon them the means of improving their education. We regard this system of doles as extremely demoralising, and look forward to the enormous benefit that may be conferred on the Metropolis by the establishment of such institutions as I have just referred to. The hon. Member who seconded the Motion has referred to the intentions of the donors. I would put it to the House, are we not entitled to believe that if those donors were now living, they would be opposed to the application of their money for the benefit of the owners and occupiers of the large City warehouses and other business establishments, who have, in modern times, rendered the City parishes during the night times and on Sundays almost a desert? Would they not rather have followed the poorer population, who have been obliged to migrate to other parts of the Metropolis, and have endeavoured, by means of those charitable funds, to have made their lives and their homes more happy and comfortable? I hope that the hon. Baronet the Member for the City of London will not press his Motion. I think it will be felt that even to delay the operation of the scheme to which I have referred for the benefit of the poor of London would be a serious disappointment to the population of our city. I trust, therefore, the House will see fit to support the scheme of the Commissioners.

(1.8.) MR. W. H. FISHER (Fulham): I must express my hearty agreement with the tenour of the speech just delivered by the hon. Member for Aberdeen. I think that the scheme of the Commissioners is, upon the whole, a wise one in the interests of the inhabitants of London, and I trust the House will be of opinion that the hon. Members for the City of London and Uxbridge have signally failed to make out any case whatever. I think it was at least incumbent upon those hon. Gentlemen to have shown that some better application of the funds could be made than that proposed by the Charity Commissioners. After this long period of gestation the Commissioners, no doubt, ought to have brought forward something worth having in the interests of the Metropolis, and I think they have given us something that is worth having. I claim to say a few words on behalf of the South-West London Polytechnic Institution, in which I am specially interested, as I think that without this scheme that Institute would have been impossible. I therefore ask hon. Members to vote for the only practicable scheme that has been put before the House. It is, of course, impossible to trace what were the original intentions of the donors of those charitable funds; but I certainly think that those donors would not have given their bequests to Vestry clerks and sextons if they had known how the City of London would have spread to Fulham and Chelsea. It is evident, however, to my mind that they desired to benefit the people of London, and I do not see how the money bequeathed by them could be applied to such purpose except by some such scheme as this. Certain I am that no case whatever has been made out for any better application of those funds.

*(1.10.) THE VICE PRESIDENT OF THE COUNCIL (Sir W. HART DYKE, Kent, Dartford): Sir, I am going to be as merciful as possible to hon. Members, more especially as at an early period of last Session an interesting Debate took place on this subject. If one thing more than another was noticeable in that Debate, it was the universal chorus of approbation from all quarters in favour of the scheme, and the unanimous feeling that it should have a fair trial. My hon. Friend, at the commencement of his remarks, made an assertion which would seem to imply that the Lord President and myself were careless with regard to the people affected under this scheme, and that we had not granted them a proper hearing. I am obliged to assert, in contradiction to that statement, that every care was taken, not only by the Commissioners during the promulgation of the scheme, but by the Education Department, to hear all the parties interested. Every step that has been taken with regard to other schemes has been taken with regard to this scheme, which was advertised in the usual way. It was notified as having been submitted to the Committee of Council, and notice was given that one month from the date thereof the Committee of Council would, in pursuance of a certain section of the Act, receive all suggestions made in writing. It has been stated that the scheme was only advertised in two newspapers. That is very far from the fact. For two consecutive weeks this scheme was advertised in the *Times*, *Daily Chronicle*, *Daily News*, *Daily Telegraph*, *Standard*, *Citizen*, and *City Press*, and another paper called the *Metropolitan*. Then with regard to objections to the scheme, the Commissioners examined all objections that were forwarded in writing. It is true that the Lord President and myself refused to receive a deputation. I regret that. I say so advisedly. But I think the House will admit that we had some reason on our side, when I say that we had to look to the possibility of having to receive deputations from 106 parishes. It is not to be wondered at, therefore, that we decided not to receive the deputation. Still, personally, I regret that we did

not receive it, though hon. Members will admit that we were justified in shrinking from the prospect of such an enormous number of deputations. With regard to the scheme itself, I ask the House whether my hon. Friends the Mover and Seconder of the Resolution have adduced sufficient reason for upsetting the scheme, after several years of laborious work at it? It is true that my hon. Friend has brought forward cases of grievances; but his objections are directed against the whole purport of the Act. No doubt, if the scheme is worth anything, it is one for diverting those charities, and spreading the blessings which flow from them. I am afraid that a great deal of the opposition to this scheme is the opposition of Vestry clerks. My hon. Friend has referred to what is called parochial administration, which really means, I take it, the emoluments paid to certain Vestry clerks. On that point the Act is specific and plain. Therefore it is of no use that my hon. Friend, or those for whom he speaks, should cavil at that part of the scheme. Section 41 of the Act provide that no emoluments or remuneration of any kind shall be applied to the payment of poor rate, or other rate, or any public charge whatsoever, or payment to any official; except for services performed under the scheme. In regard to that portion of the scheme the Commissioners had no alternative whatever; they were obliged to observe the terms of the Act, which is perfectly precise in its language. My hon. Friend has referred to the City of London, and there again the scheme might possibly have been more generous in regard to certain charities. But the scheme does a great deal for the City of London. In Section 38 a vast number of vested interests are provided for. In Section 39 pensions are provided for, which at present equal a sum of £6,000. In Section 40 almshouses and pensions are considered to the extent of £700 per annum, and in Section 41 pensions and temporary grants are provided for to the amount of £500 per annum. Section 42 furnishes the machinery for carrying out the above proposals. In Schedule 58 there is provision for a library in the City, to the amount of £40,000, and there is provision for the City Polytechnic, which has an income of £5,550 per annum. It cannot, therefore, be fairly urged that the City is neglected. I now pass to the objections raised by the hon. Member for Shoreditch. I would say, *ab initio*, that when the hon. Member proposes that this scheme should be amended, or a portion of it excluded, I believe, according to the strict letter, such a thing would be possible; but to carry an Amendment of the kind proposed would involve the complete annihilation of the scheme. [MR. J. STUART: How?] The hon. Member says "How?" Because, financially, the scheme is so evenly balanced that I am assured, if the Amendment were carried, it would be absolutely fatal to the scheme. The hon. Member has also alluded to the application of the ecclesiastical funds. It may be objected to the scheme that the whole of the property ought not to be dealt with at once; but I am assured by the Commissioners that the ecclesiastical endowments are so mixed up with the general endowments, at least to the extent of £50,000 per annum, that it was utterly impossible to dissociate the various items. No doubt the hon. Member has made some point with reference to the sum supposed to be spent on the City churches. If the hon. Member will look at Section 14 of the Act he will find laid down in precise terms what is to be the action of the Commissioners with regard to the City churches, and I think it is impossible for them to frame this portion of their scheme on any other basis. And what the hon. Member practically urges to-night, after enormous labour has been expended on this scheme, is that we should have a new Act, and then, after we have got a new Act, that we should have a new scheme to meet the wishes of the hon. Member. I venture to think that if you took a course of that kind at the eleventh hour it would afford you small satisfaction. The inhabitants of the Metropolis are eager that this scheme should at once become law. Whatever are the merits or demerits of the scheme, hon. Members will recognise that the educational portion of it, at all events, has met with such an extraordinary response from private munificence and other sources that it would be a very severe blow to the Metropolis to throw over the scheme, which is practically the proposal of a gift of £500,000 for education.

(1.19.) MR. STEPHENS (Middlesex, Hornsey): I only rise for one moment in order to correct a mistake into which the right hon. Gentleman has fallen. He has said that the Vestry clerk of St. Sepulchre is in receipt of an income of £500 per annum. I believe the amount he receives is actually £290. I will only add that I share the regret which has been expressed by the right hon. Gentleman that he did not receive a deputation on this subject; because I am sure that it would have been better for him to have heard the objections they would have been able to bring forward, and to have carefully considered them face to face with those by whom they were urged.

(1.20.) The House divided:—Ayes 55; Noes 110.—(Div. List, No. 17.)

Main Question put, and negatived.

RIGHTS OF WAY (SCOTLAND) (NO. 2) BILL.

On Motion of Sir Charles Dalrymple, Bill to enable County Councils in Scotland, on a report by the Sheriff, to sue actions of Right of Way, ordered to be brought in by Sir Charles Dalrymple, Mr. James Campbell, and Mr. Mark Stewart.

Bill presented, and read first time. [Bill 172.]

POLICE (METROPOLIS), INCREASE OF PAY.

Address for—

"Extract from Police Order of Monday, the 8th day of December, 1890, announcing the sanction of the Secretary of State to an Increase of Pay to the Metropolitan Police Force."—(*Mr. Stuart Wortley.*)

PARLIAMENTARY PAPERS DISTRIBUTION.

Ordered, That a Select Committee be appointed to assist Mr. Speaker in superintending the form and regulating the distribution of Parliamentary Papers.

The Committee was accordingly nominated of,—Mr. Arthur Acland, Mr. Bartley, Mr. Causton, Mr. Arthur Elliot, Mr. Gill, Mr. Howell, Mr. James Maclean, and Sir Herbert Maxwell.

Ordered, That the Committee have power to send for persons, papers, and records.

Ordered, That Three be the quorum.—(*Sir Herbert Maxwell.*)

IRISH SOCIETY AND LONDON COMPANIES (IRISH ESTATES).

Ordered, That a Select Committee be reappointed to inquire as to the terms of the Charters or other instruments by which their Estates in Ireland were granted to the Irish Society and to the London Companies, and as to the trusts and obligations (if any) attaching to the ownership of such Estates, and as to the mode in which the sale of their Estates has been effected, or can be effected, consistently with such trusts and obligations as may be shown to have existed, or now exist.

The Committee was accordingly nominated of,—Mr. Clancy, Lord Elcho, Sir John Ellis, Mr. John Ellis, Mr. Elton, Mr. T. M. Healy, Colonel Laurie, Mr. Lawson, Mr. Lea, Sir William Marriott, Mr. John Morley, Mr. Sexton, and Sir Richard Temple.

Ordered, That the Committee have power to send for persons, papers, and records.

Ordered, That Five be the quorum.—(*Mr. John Morley.*)

COLONISATION.

Ordered, That a Select Committee be appointed to inquire into various schemes which have been proposed to Her Majesty's Government to facilitate emigration from the congested districts of the United Kingdom to the British Colonies or elsewhere; to examine into the results of any schemes which have received practical trial in recent years, and to report generally whether in their opinion it is desirable that further facilities should be given to promote emigration; and, if so, upon the means and the conditions under which such emigration can best be carried out, and the quarters to which it can most advantageously be directed.

Ordered, That the Committee do consist of twenty-one Members.

The Committee was accordingly nominated of,—Sir George Baden-Powell, Mr. Gerald Balfour, Mr. Campbell-Bannerman, Dr. Clark, Sir John Colomb, Mr. Munro Ferguson, Sir James Fergusson, Mr. Hobhouse, Mr. Loder, Mr. James Maclean, Mr. William M'Arthur, Mr. Mahony, Colonel Malcolm, Mr. G. Osborne Morgan, Mr. Rankin, Mr. Rathbone, Mr. William Redmond, Mr. Ritchie, Mr. Schwann, Mr. Seton-Karr, and Mr. Wodehouse.

Ordered, That the Committee have power to send for persons, papers, and records.

Ordered, That Five be the quorum.—(*Mr. Jackson.*)

LONDON TAXATION BILL.—(No. 51.)

Order for Second Reading upon Wednesday, 6th May, read, and discharged.

Bill withdrawn.

METROPOLITAN WATER COMPANIES' CHARGES BILL.

Ordered, That the Examiners of Petitions for Private Bills do examine the Metropolitan Water Companies' Charges Bill with respect to compliance with the Standing Orders relative to Private Bills.—(*Mr. Causton.*)

It being after One of the clock, Mr. Speaker adjourned the House without Question put.

House adjourned at twenty minutes before Two o'clock.

HOUSE OF LORDS,

Tuesday, 27th January, 1891.

STANDING ORDERS RELATING TO STANDING COMMITTEES.

THE **LORD PRIVY SEAL** (Earl CADOGAN): My Lords, it is not without some regret that I ask your Lordships to again enter upon the consideration and amendment of your Standing Orders. It will be within the recollection of the House that about two years ago a large and representative Committee sat and examined into the whole of the Standing Orders of this House, and that after a Report to the House, those Orders were reprinted in the form in which they now appear upon the Table. With regard to most of the changes which were then carried out, I think it may be said that they not only met with the assent of the House generally, but it was considered that they resulted in a practical improvement of the general rules of our procedure. There is, however, one class of Standing Orders as to which there has been considerable difference of opinion. I allude to those providing for Standing Committees to take Bills of certain classes under their consideration. I think that whatever may have been the opinion of your Lordships upon the desirability of the appointment of those Standing Committees, there can be little doubt that, as far as the work they have done is concerned, and as far as we can judge of the result of their labours, the effect of those Standing Committees can only be considered to have been in every way satisfactory. I have had the honour of sitting on one of those Committees, and I should venture to bear my humble tribute of testimony to the ability, care, and energy which the Members brought to the examination of the various Bills which were referred to them. If I may be allowed to give one instance of this I would mention the Pharmacy Acts (Ireland), Bill. That Bill related to an intricate and perhaps not a very generally interesting subject. It was one in which a noble Lord, who enjoyed the respect of both sides of the House, the late Lord Milltown, had for several years taken some interest. He had in vain endeavoured to pass a Bill through this House to settle that difficult question, and it was not until the Bill was taken up and passed through the Standing Committee last Session that a satisfactory solution was arrived at. That, I believe, my Lords, is an instance of a class of Bills upon which the labours of Standing Committees may be advantageously expended. I trust, therefore, that there will be no doubt in the minds of the Members of the House as to the desirability of the appointment of those Standing Committees during the present Session; but even if there should be any opposition to such a course the proper opportunity will be afforded for bringing forward any Motion on the subject when the appointment of the Standing Committees is moved at a later period. My object to day is to invite your Lordships to appoint a Select Committee to investigate the Standing Orders connected with those Committees, to suggest any change that might be thought desirable in regard to them and their procedure, and to alter—as I believe it will be found necessary to do—the somewhat unsatisfactory wording of the Standing Orders. I do not know that I need trouble the House with any further suggestions as to what the procedure in this Committee will be. There is one fault which has been found with the operation of these Standing Committees with which, I confess, I have some sympathy. It has been pointed out that the proceedings of the House in the Standing Committees are so imperfectly reported in the public journals that an impression has been conveyed abroad that the House of Lords, instead of doing more work, does rather less work now than in former years. That I need hardly say is an erroneous impression; and though, perhaps, excusable in the circumstances, I am bound to say I think it may be very justifiably corrected. The fact is, the House does a great deal of work in the Committees which does not come before the public, and on more than one occasion, when it has been announced in the newspapers that your Lordships' House had adjourned after only a five minutes' sitting, I myself, and other Members of this House had been in attendance upon a Standing Committee for more than two hours previous to the sitting of the House. It has occurred to me that perhaps some improvement might be effected in regard to reporting the proceedings of the Standing Committees by negotiations with the *Hansard* proprietors, in order to obtain from them a report of proceedings in the Standing Committees on a similar scale to that which is now given of the proceedings in Committees of the whole House. I had the honour of being Chairman of a Joint Committee of both Houses at the expiration of the last *Hansard* contract, and provision was then made that fuller reports should be given in *Hansard* of the proceedings in Committees of the whole House, and it appears to me—I only throw it out as a suggestion—that, by negotiations with the *Hansard* proprietors, we might ensure an equally full report of the proceedings in our Standing Committees. I think this would be a very desirable object to attain, because, beyond the mere sentimental objection that it is thought outside by the public that we do not work as hard as we really do, there is also the fact that Bills which have passed through the House of Commons and have reached your Lordships' House are liable to be thrown out after discussion in the Standing Committees, without the possibility of the public generally, or those specially who are interested in the subjects with which the Bills deal, being able to ascertain for what reasons they have been so summarily rejected. I do not know whether this suggestion of mine will bear fruit, but I should be glad if other noble Lords would make any other suggestion which might seem to obviate what I believe to be the only tangible objections to the Standing Committees. I need only add that I do not think this Committee need occupy the time of your Lordships for more than one or two sittings. It is necessary that we should proceed with it as soon as possible, because I am informed there are Bills coming before this House which will require the attention of Standing Committees. Therefore it is desirable that it should be appointed without delay. In the meantime, I trust that your Lordships will agree with the suggestion I have made in regard to reporting the proceedings in Standing Committees, and that the result of the labours of this Select Committee will be to so improve the operation of those Committees as to remove the objection which appears to be felt to them on the part of some of your Lordships. I beg to move in accordance with the Motion which stands in my name.

Moved,

"That a Select Committee be appointed to examine and report upon the Standing Orders of the House which relate to Standing Committees."—(*The Lord Privy Seal,* E. Cadogan.)

LORD HERSCHELL: My Lords, I do not rise for the purpose of offering the slightest opposition to the proposition which the noble Lord has made. The change introduced two years ago by the institution of these Standing Committees was, no doubt, one of considerable magnitude and importance, and it is quite reasonable that after two years' experience we should take counsel together to see whether the system could be improved, and whether some objections that have been raised could be obviated. I am very glad the noble Earl has given no countenance to the idea that those Committees have proved a failure and have not answered the purposes for which they were appointed, for nothing, I believe, could be further removed from the fact. The evil which those Committees were designed to meet was a serious one. Now, I do not believe there can be two opinions that one of the most important functions of your Lordships' House is to act as a Chamber of revision, to carefully scrutinise legislation as it passes through Parliament, and to see that the intentions of those who are changing the law are not only carried out, but are carried out as efficiently as possible. This is a function which your Lordships' House is in a position to discharge more effectively than the other House of Parliament, and changes in the procedure of the other House have rendered it more than ever necessary that that function should be discharged by the House of Lords, for, owing to such changes, it has become almost impossible to pass through the other House what I may call the smaller measures with anything like adequate discussion. Private Members' Bills, if they are to be passed at all, must be passed by means of some arrangement or compromise with those who take objection to those measures or to certain provisions in them; some sort of compromise is arrived at, and it is an undoubted fact that even measures of real importance and of considerable magnitude have passed through the other House of Parliament without a single word of discussion. The form of legislation is a matter of supreme importance, because though the object of a change in the law may be one with which we all agree, if the shape it takes is such as not to carry out that object or not to carry it out effectively, the very purpose of the legislation is defeated, and if the language used is not carefully scrutinised the measure though passed with the best possible intentions, may not only fail in its object but give rise to great litigation, expense, and worry. Therefore your Lordships would, I suppose, all be agreed that the duty of carefully revising the language of legislation is one which is cast especially on this House and that we ought to endeavour to fulfil that duty in the best possible way. I think it is hardly possible for any one, either, to controvert this fact, that down to the time of the creation of these Standing Committees, that was a work which had been very imperfectly discharged. I am not saying this at all by way of blame. It resulted from an infirmity of human nature. "What is everybody's business is nobody's business," and the consequence was that when measures were introduced which were not of any very exciting character or especially attracting the attention of particular Members of your Lordships' House they were apt to pass through with very little notice or concern. It is, of course, very difficult even for those who would be disposed to criticise the language of legislation to be always on the alert, present, and prepared to discuss the provisions of a measure on every occasion when the Member of your Lordships' House in charge of a Bill may chance to put it down; and without any particular blame therefore to any one that particular function of this House, we all agree, was very imperfectly discharged. That by the system of Standing Committees of the House legislation has been scrutinised, revised, and amended to a greater extent than ever before is a fact, I think, which is impossible of dispute and capable of demonstration. I am not going to trouble your Lordships with more than one or two examples, though I could give many. Take for example such a measure as that for the Prevention of Cruelty to Children. There was one Amendment made by your Lordships' House about which there was some controversy, and which some considered to be rather mischievous than beneficial; but putting that aside, and it was comparatively a small matter, I do not hesitate to say that many blots were removed from the Bill, the gaps which had been left open were stopped, and many improvements effected in it by your Lordships; and those who were interested in the Bill frankly admitted that when it had passed through your Lordships' hands it was a very much more effective piece of legislation than it was when it left the other House. Another measure to which I may refer was the Official Secrets Bill. That Bill had an object about which there was a common agreement, but it had been insufficiently sifted by the other House. It came to your Lordships' House in a form which would have made it cover many cases, which, as all agreed, ought not to be covered, and in a shape which might have given rise to considerable difficulty between ourselves and some of the colonies connected with the mother country. These blots were removed by the Standing Committee, and the measure assumed a more satisfactory shape. One other instance only to which I will refer is the law relating to factors, a very difficult subject, which was taken up in your Lordships' House. This is an instance of a Bill originating here; but the reason which renders it necessary that this House should carefully scrutinise the measures coming from the other House must render it also necessary that even greater care, if possible, should be exercised with regard to measures going from this to the other House. A Bill had been introduced by Her Majesty's Government, and another Bill had been introduced by Sir John Lubbock in the other House. Those two Bills were taken and moulded into one, and a great deal of time and care was bestowed upon them. What was the result? The Bill went to the other House, was referred to their Standing Committee on Trade, and after undergoing the 'complete scrutiny of members of the mercantile community, as well as lawyers, it came back to your Lordships' House with only one single Amendment, and that not of an important character. I have given these few instances—I might have given many more of them—to show that an amount of care and attention has been recently bestowed upon the form of legislation—and the form, as your Lordships know, is often of the very substance of it—which never was bestowed formerly; and I am quite certain that all who have attended those Committees will agree with what the noble Lord has stated in the testimony he has given to the very great care and attention bestowed by the Committees on the Bills which come before them. The attendance has been continuous, and the Members so attending have been numerous. A great many Members of your Lordships' House have followed the discussions thoroughly, and have taken part in the legislation, who would never have taken any such part had it been that the measures were simply coming forward as they used to do for discussion in Committee of the whole House. Suggestions were made and difficulties pointed out by noble Lords who would never have thought of getting up in your Lordships' House to make speeches upon the subject, but who joined without hesitation in the kind of discussion which takes place in Committee, and threw out suggestions which were often very valuable. The establishment of Grand Committees has therefore led to more of your Lordships taking part in legislation, taking an interest in it, and actively concerning themselves about it, than was the case before. So much with regard to the results arising from this change. But it has been said by some that all that has been done in these Committees might have been done in Committee of the whole House. With that I cannot agree. I say it would not have been done in Committee of the whole House, and I say also that it could not have been done as effectively in Committee of the whole House. Saying that it would not have been done I hold to be justified by what had occurred in the past, and I have already pointed out to your Lordships shortly the reasons why that was the case. That it could not have been done I assert, because it appears to me that the kind of criticism which you want for a Bill where no question of principle is raised, and when upon the general object you are agreed is one for which a Committee of the whole House, affords the worst possible machinery which the wit of man could desire. When, on the other hand, we are met together in Standing Committee, suggestions are thrown out and the matter is dealt with in a more informal fashion than is the custom here—you can deal with it in a way that you could not in Committee of the whole House. While those Committees have been sitting the Members attending upon them have been by no means excluded from taking part in the discussions on the Bills. More than that, I think it capable of demonstration that the discussions upon Bills after they have been through Committee have been fuller than on former occasions when they had not. The explanation is simply that a greater number of your Lordships have become acquainted with the points which have arisen in a way that they could not have become acquainted with them if the Bills had not come up for discussion there; and, therefore, you have heard noble Lords taking part in discussions who would not have done so had they not attended the Grand Committees. So that instead of causing less to be done in this House it has caused more time and attention to be expended upon measures before it. I know there have been other objections made. It is said that you seem now to do less than you had done before. I do not myself feel oppressed with that. I quite admit it is desirable that the public should know what we are doing, but if a choice has to be made between seeming to do work and not really doing it, and not seeming to do work but yet, in reality, doing it, I, as a practical man, must say that I very much prefer the latter, and I am glad that the result has been accomplished, even if we have seemed to do less. But I think that one objection would be met if we could persuade the Press to take a somewhat different course than that which they have taken. It seems to me that it would be of advantage to the public and not disadvantageous to the newspapers themselves. Some of the discussions in the Grand Committees have been very well reported in the Press, but the reports have not been put under the heading of "Parliamentary Intelligence." You have had to search for them, and at last have found them, perhaps in some out-of-the-way corner of the newspaper, whereas, if they had appeared, even if only at the same length, under that heading, I believe that those interested in the discussions would be glad to be able to find them more easily and to obtain more readily the information which they desire, and I do not see that it would be of any disadvantage at all to the newspapers. I do not throw out that suggestion in the interests of your Lordships' House only, but in the interests of large sections of the public, who take an interest in such Bills as that for the Prevention of Cruelty to Children, and who would be glad to find such reports as are given placed under the head of "Parliamentary Intelligence." I do not propose to detain your Lordships further. I am very glad that this matter is to be considered by a Select Committee, in order, if possible, to remove any objections and to make the working of this machinery more effective than it has been, and if I may venture to say so I will most heartily give such aid as I can to accomplish that result. I was only anxious that no impression should get abroad that this experiment of Standing Committees had proved a failure, or that it had not carried out the object contemplated by those who introduced it. I would point out this also: that amongst its most valuable results have been those obtained owing to the suggestion of the noble Marquess at the head of the Government, that particular classes of Bills which require minute examination should be referred to a Sub-Committee of the Standing Committee. One instance of that I may mention. A Bill was introduced to codify the Law of Partnership; a very intricate and difficult subject, and that Bill was considered line by line by a small Sub-Committee, presided over by my noble Friend the Lord Chancellor, who gave very many hours to the consideration of that measure. I cannot doubt that the result of that consideration will be that when that measure is brought into practical working a great deal of litigation may be saved which would very likely have followed if great care had not been bestowed on the wording of every part of it. My Lords, I trust the deliberations of this Committee may result in the improvement of this machinery, and certainly not in impairing the beneficial effect which has been produced by the change made two years ago.

THE PRIME MINISTER AND SECRETARY OF STATE FOR FOREIGN AFFAIRS (The Marquess of SALISBURY): My Lords, I am very glad to hear the spirit in which this Motion has been received by the noble and learned Lord opposite, to whom we owe to a very great extent the institution of these Committees. I agree with him that the Standing Committees have done a great deal of good work, and that the Statute Book has been the better for their work. I desire, however, to point out lest anyone should think reference to a Committee is needless, that there are two matters which require to be considered and decided in the open House. One of them is the question whether you will go on with two Committees, or whether we should have only one. It has occasionally happened during the last Session that the second Committee, for General Purposes, presided over by Lord Kimberley, has met, and there has been no business for it to do. There has been a little difficulty in apportioning the work between the two Committees. The noble Lord referred to the plan of doing the work by delegating it to Sub-Committees as being one which had in his experience worked satisfactorily, and I am not sure that it would not be better to do the whole of your work in that way, and to have one Committee which should be empowered to appoint Sub-Committees to consider the Bills which may be submitted to them. At all events, such an arrangement would have the effect of always providing business for the noble Lords who come down, and it would prevent one Committee from being overloaded with work while the other had no work at all. The other difficulty is rather a curious one, and arises, it seems to me, a good deal from sentiment. I have heard it stated again, by some of the noble Lords behind me, that this system prevents discussion in the open House; but as the Bills have to pass through Committee of the whole House after passing through the Standing Committees, it is very difficult to perceive how that complaint can be justified. But I am told it is not in human nature for noble Lords to criticise a Bill of which all the criticisable parts have been taken out by the Grand Committee. It is like gleaning after a very careful harvestman. They say that the first pressure of the olive or the grape produces by far the most excellent and valuable result, and I can conceive the disappointment of those who have expected to get a lengthy discussion upon the provisions of the Bill at being deprived of a considerable amount of criticism of a measure after it has been subjected to the press of the noble Lord on the Woolsack, and of the noble and learned Lord opposite and others. No doubt it may leave them in rather a disappointed condition, and they may think that they have been asked to rather a Barmecide feast when they are asked to apply their powers to the discussion of Bills from which all the materials for discussion have been removed. I will venture with diffidence and humility to suggest a remedy which I think would meet the difficulty, and that is, that Bills should pass through this House before they are referred to a Standing Committee. This House is too modest and too timid to discuss a Bill which the Standing Committee has passed, but I am quite sure the Standing Committee would not be too modest or too timid to discuss a Bill which this House has passed. We should have the general principles which were to be laid down duly brought forward and discussed in the Committee of the whole House, and the more prosaic work of making a decent Act of Parliament would be delegated to the Committee upstairs. I believe that that would be a plan by which we should unite practical utility with patriotic sentiment, and that we should in that way overcome one of the most formidable difficulties with which we have had to contend.

On Question, agreed to.

Then the Lords following were named of the Committee—

L. Chancellor
E. Cadogan (*L. Privy Seal.*)
D. Richmond
M. Salisbury
E. Derby
E. Morley
E. Beauchamp
E. Camperdown
E. Granville
E. Kimberley
V. Oxenbridge
L. Foxford (*E. Limerick.*)
L. Brabourne
L. Colville of Culross
L. Herschell.

The Committee to meet on Monday next, at half past Two o'clock; and to appoint their own Chairman.

The Marquess of Salisbury

COMMITTEE OF SELECTION.

The Lords following, viz.:—

E. Lathom (*L. Chamberlain*)
V. Oxenbridge
L. Colville of Culross
L. Kensington

with the Chairman of Committees were appointed a Committee to select and propose to the House the names of the Five Lords to form a Select Committee for the consideration of each opposed Private Bill.

STANDING ORDERS COMMITTEE.

Appointed: The Lords following with the Chairman of Committees, were named of the Committee:—

E. Cadogan (*L. Privy Seal*)
M. Bath
E. Lathom (*L. Chamberlain*)
E. Winchilsea and Nottingham
E. Lauderdale
E. Lindsay
E. Waldegrave
E. Bathurst
E. Belmore
E. Powis
E. Harrowby
E. Amherst
L. Foxford (*E. Limerick*)
L. Colchester
L. Wigan (*E. Crawford and Balcarres*)
L. Poltimore
L. Sudeley
L. Belper
L. Houghton
L. Romilly
E. Camperdown
E. Wharncliffe
E. de Montalt
V. Sidmouth
V. Gordon (*E. Aberdeen*)
V. Hardinge
V. Oxenbridge
L. de Ros
L. Clinton
L. Zouche of Haryngworth
L. Balfour of Burley
L. Boyle (*E. Cork and Orrery*)
L. Thurlow
L. Hartismere (*L. Henniker*)
L. Sandhurst
L. Fermanagh (*E. Erne*)
L. Monk-Bretton
L. Sudley (*E. Arran*)
L. Colville of Culross
L. Kensington

All Petitions relating to Standing Orders which shall be presented during the present Session referred to the Committee unless otherwise ordered.

HOUSE OF LORDS OFFICES.

Select Committee appointed: The Lords following, with the Lord Chancellor, the Lord President, the Lord Privy Seal, and the Chairman of Committees were named of the Committee:

D. Richmond
D. Saint Albans
M. Salisbury
M. Bath
M. Ripon
E. Mount Edgcumbe (*L. Steward*)
E. Lathom (*L. Chamberlain*)
E. Waldegrave
E. Belmore
E. Harrowby
E. Bradford
E. Beauchamp
E. Camperdown
E. Granville
E. Strafford
E. Kimberley
E. de Montalt
V. Hardinge
V. Oxenbridge
L. Willoughby de Eresby
L. Boyle (*E. Cork and Orrery*)
L. Foxford (*E. Limerick*)
L. Colchester
L. Ker (*M. Lothian*)
L. Rowton
L. Colville of Culross.

House adjourned at Five o'clock, to Thursday next, a quarter past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, 27th January, 1891.

QUESTIONS.

PORTSMOUTH DOCKYARD.

MR. LABOUCHERE (Northampton): I beg to ask the First Lord of the Admiralty whether he is aware that certain specific charges of grave character have been recently reported to the Superintendent Engineer of the Portsmouth Dockyard; whether any and what inquiry has been made, and by whom, into such complaints; whether any and what evidence was taken, and with what result; and whether any further action will be taken in the matter?

*THE FIRST LORD OF THE ADMIRALTY (Lord G. HAMILTON, Middlesex, Ealing): The charges referred to appear to be those which have been made periodically since 1884, with regard to irregularities alleged to have taken place as far back as 1883 in connection with the dredging contract at Portsmouth. They have been brought forward on each occasion by bargemen who had been discharged by the contractor. When first made they were investigated by the Admiral Superintendent and the Superintending Engineer of the Dockyard, and they have subsequently been reported upon by successive Superintending Engineers, and it has always been decided that they were groundless.

THE SOUTH AFRICA COMPANY.

MR. LABOUCHERE: I beg to ask the Under Secretary of State for the Colonies whether, inasmuch as certain concessions led Her Majesty's Government to assent to a Charter being granted to the South Africa Company, he has been made aware that these concessions do not belong to that Company, but to another Company which has a capital of £4,000,000, representing one-half of the value of these concessions, and that the Chartered Company is merely a lessée of the aforesaid Company, receiving one-half of the net income derived from the concessions in consideration of bearing all the expenses involved in the obligations that the Chartered Company has undertaken in consideration of obtaining the Charter, and whether Her Majesty's Government was aware that this arrangement was to be made when the Charter was granted; whether he will take steps to see that no undue influence is exercised by the Company on Lobengula to induce him to cede land to the Company in addition to the mining rights hitherto granted; whether his attention has been called to the seizure on the part of the Company of Manica, which is claimed by Portugal, and to the imprisonment and deportation of Portuguese residing in Manica by the Company; whether there is any limit laid down in regard to the area over which the Chartered Company has acquired rights in consequence of its Charter; and, if not, whether such limit will at once be laid down; whether his attention has been called to Clauses 3 and 4 of the Charter granted to the Company, by which it is prohibited from exercising any act of sovereignty or powers of government in relation to any treaty or concession, until a copy of such concession, grant, or treaty, with maps and particulars, have been submitted to the Secretary of State, and he has signified his approval thereof either absolutely or subject to any conditions or reservations; and whether the so-called Treaty with Mutassa in respect to the concessions granted to the company by that chief in respect to Manica has been submitted to the Secretary of State, and he has signified his approval of it; and, if not, what action it is contemplated to take against the Company for infringing its Charter, by exercising acts of sovereignty and powers of government in Manica under a so-called concession from Mutassa?

*THE UNDER SECRETARY OF STATE FOR THE COLONIES (Baron H. de WORMS, Liverpool, East Toxteth): In answer to the first question put by the hon. Member, I have to say that Her Majesty's Government was not, when the Charter was granted, and is not, aware that the facts are as stated, and is not responsible for the details of the relations between the British South Africa Company and any other Company or person holding concessions within the field of its operations. As regards the second question, Her Majesty's Government does not believe that any improper influence has been brought to bear upon Lobengula by the British South Africa Company. The answer to the third question is: Yes. In reply to the fourth question, the field of operations of the British South Africa Company has not been further defined since the Charter was issued, and no further steps in that direction will be taken while the negotiations with Portugal are pending. As regards the last two questions, Her Majesty's Government are familiar with the clauses referred to; and they are not yet in a position to consider whether, and to what extent, the Treaty with Mutassa should receive approval.

MR. LABOUCHERE: Has the Treaty with Mutasa been submitted, as stipulated by the clauses, to Her Majesty's Government?

*BARON H. DE WORMS: Yes.

MR. LABOUCHERE: Will the right hon. Gentleman lay it on the Table of the House?

*BARON H. DE WORMS: That will be considered.

MR. CONYBEARE (Cornwall, Camborne): May I ask whether the Government have received information that the Charter alleged to have been granted by Portugal to the Zambesi Company contain provisions hostile to British interests; and whether, having regard to the fact that the British South Africa Company have secured a concession in the Manica Company and the neighbouring territory for a *modus vivendi*, the Government will recognise such concession as the basis of further negotiation?

MR. SPEAKER: Order! The hon. Member had better give notice of that question.

MR. CONYBEARE: I will put it to-morrow.

SIR G. CAMPBELL (Kirkcaldy, &c.): Are we to understand that the Government exercise no control over the concessions and Sub-leases granted by the Chartered Company?

*BARON H. DE WORMS: No; the hon. Gentleman is not to understand that.

THE CLEANERS OF THE HOUSES OF PARLIAMENT.

MR. LABOUCHERE: I beg to ask the First Commissioner of Works whether arrangements have been made by which the cleaners of the two Houses of Parliament will be placed directly under the Office of Works, will receive their pay without any deduction to a middle man, and will have a half-holiday on Saturdays and the usual annual holiday that is granted to other working men employed in the two Houses of Parliament?

THE FIRST COMMISSIONER OF WORKS (Mr. PLUNKET, Dublin University): It is not intended to increase the number of workmen employed about the Houses of Parliament, and employed directly under the Office of Works; but the cleaners will, under the new form of contract, which comes into force in April next, receive their pay without deduction to a middleman, and will not be required to work on Saturday afternoons except under very special circumstances, in which cases they would receive extra pay. The men regularly employed about the Houses on special duty, for instance, in the ventilating department, are paid by the week, and may often have to work for long hours without extra pay. They, therefore, get an annual holiday, which is not given to contractors' men, who are paid by the hour.

MR. LABOUCHERE: And the annual holiday?

*MR. PLUNKET: Men employed by the Office of Works are paid by the week, and sometimes do extra work without receiving extra pay, and consequently an annual holiday is given to them.

PUBLIC TRUSTEE BILL.

MR. HOWARD VINCENT (Sheffield, Central): I beg to ask the Chancellor of the Exchequer when the Public Trustee Bill, which has twice passed the Upper House, will be reintroduced; and if the Select Committee promised on the subject will be appointed in sufficient time to enable it to report sufficiently early for legislation on the subject to be effected in the course of the present Session?

*THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): I trust that it will be reintroduced in the course of a very few days, and I think that the best course will be to refer it to the Standing Committee on Law.

ALIEN ACT.

MR. HOWARD VINCENT: I beg to ask the President of the Board of Trade if he is in a position to state the results of the enforcement of the Alien Act upon certain routes of immigration into this country frequented by pauper foreigners?

*THE PRESIDENT OF THE BOARD OF TRADE (Sir M. HICKS BEACH, Bristol, W.): Yes, Sir; the statistics with regard to this matter will be found in the Annual Report on Emigration, which will shortly be presented to Parliament.

ALLOTMENTS BILL.

MR. COBB (Warwick, S.E., Rugby): I beg to ask the President of the Local Government Board whether it is correctly stated, in a number of Warwickshire papers, that the Government contemplate bringing in another Allotments Bill, giving power to Local Authorities to take land compulsorily upon lease for providing allotments; and whether the Government have changed their views, and are prepared to adopt the principle of compulsory leasing?

*THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE, Tower Hamlets, St. George's): No, Sir.

THE EDUCATION GRANT.

MR. COBB: I beg to ask the Vice President of the Committee of Council on Education when the Return will be published showing the expenditure from the Education Grant in the year 1890, the number of elementary schools, and the accommodation and number of scholars on the 31st August, 1890, and the results of inspection and examination during the year ending 31st August, 1890, together with a summary of statistics for the same year, in continuation of a similar Return published last year?

THE VICE PRESIDENT OF THE COUNCIL (Sir W. HART DYKE, Kent, Dartford): The preparation of the Return is being completed in the ordinary course, and it will be laid before Parliament at the usual time shortly after Easter.

CARRIAGE OF LIVE CATTLE FROM AMERICA.

MR. CHARLES WILSON (Hull, W.): I beg to ask the President of the Board of Trade whether the Government is intending to make any and what regulations or restrictions as to the carriage of live cattle across the Atlantic?

THE PRESIDENT OF THE BOARD OF AGRICULTURE (Mr. CHAPLIN, Lincolnshire, Sleaford): Perhaps the hon. Gentleman will allow me to answer the question. The hon. Member is probably aware that a Joint Departmental Committee of the Board of Agriculture and the Board of Trade is at this moment examining into the question of the transit of cattle across the Atlantic, and I think it would be desirable to wait for the Report of that Committee before deciding what alterations, if any, may be necessary in the regulations existing at present.

GWYLWYN SETT QUARRY, CARNARVON.

MR. LLOYD-GEORGE (Carnarvon, &c): I beg to ask the Secretary to the Treasury whether any, and, if any, what, progress has been made with the negotiations for the lease of the Gwylwyn Sett Quarry, Pistyll, Carnarvonshire; and if a lease has been granted, what provision (if any) has been made to ensure the continuous working of that quarry?

THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.): There has been some delay, and I am sorry to say the negotiations are not yet concluded, but the Welsh Granite Company have been requested to return the draft lease for engrossment by the 31st inst.; so I hope by the end of the month that we shall have an answer accepting or declining.

TRADE AND TREATIES COMMITTEE.

SIR GEORGE BADEN-POWELL (Liverpool, Kirkdale): I beg to ask the President of the Board of Trade whether the Trade and Treaties Committee have yet sent in any Reports to Her Majesty's Government; and, if so, when will such Reports be circulated?

*SIR M. HICKS BEACH: The first Report of the Committee has just been received by Her Majesty's Government, and will be carefully considered. Of course, it must be a matter for future decision whether, and when, it should be published.

MERCHANDISE MARKS ACT.

MR. HOWARD VINCENT: I beg to ask the President of the Board of Trade if he has come to a decision upon the means of prosecuting at the public expense offenders against "The Merchandise Marks Act, 1887," and if fresh legislation will be necessary?

*SIR M. HICKS BEACH: There has been some delay in this matter, as it has required very careful consideration from a legal point of view; but I am advised that legislation will not be required to enable the Report of the Committee on this point to be carried into effect. I am in communication with the Attorney General as to the manner in which this should be done, and I propose, of course, to address a communication to the Treasury on the subject.

EVICTION OF MINERS.

MR. ATHERLEY-JONES (Durham, N.W.): I beg to ask the President of the Local Government Board whether his attention has been directed to the threatened eviction of several hundred miners, with their families, from their houses at Selksworth Colliery, near Sunderland; and whether, in view of the distress and danger to health likely to ensue from evictions at this season of the year, he will communicate with the Local Authorities for the district, with the object of securing proper temporary accommodation for the evicted families?

*MR. RITCHIE: I have no information except that derived from the newspapers. I earnestly hope the contingency referred to by the hon. Gentleman may not arise. The duty of the Guardians is restricted to the relief of destitution.

MAIL SERVICE TO STORNOWAY.

MR. RAYMOND HEATH (Lincoln, Louth): I beg to ask the Postmaster General whether his attention has been drawn to the inefficiency of the mail service between Stornoway and the mainland; whether he is aware that owing to her faulty construction, deficiency in steam power, and insufficient size, the steamer *Lochiel* is quite unsuited to carry the mails, as she cannot keep up to time in any but the finest weather; whether he is prepared to put the contract for carrying the mails between Stornoway and the mainland up to open competition on the first opportunity; and when will the present contract terminate?

*THE POSTMASTER GENERAL (Mr. RAIKES, Cambridge University): I am aware that complaints have been made relative to the mail packet service to which the hon. Member refers; but the contractor does his best with the means at his disposal, and is not prepared to employ a larger and more powerful steamer without additional subsidy. The existing contract cannot be terminated before the 31st December next, and meanwhile I have the intention of offering the service to open competition.

BATTERY AND EARTHWORKS NEAR SUNDERLAND.

MR. GOURLEY (Sunderland): I beg to ask the Secretary of State for War whether it is true that he is negotiating for the purchase of a large quantity of land north of Roker-on-Sea (near Sunderland), for the purpose of constructing a battery and earthworks; and, if so, will he issue instructions for the speedy removal of the obsolete gun battery stituated near Roker Park, and which, when used, is a nuisance and source of danger to the inhabitants of the neighbourhood, as well as to the large inshore traffic of fishing and pleasure boats?

*THE SECRETARY OF STATE FOR WAR (Mr. E. STANHOPE, Lincolnshire, Horncastle): No, Sir; no such negotiations have taken place.

SAVINGS BANK CLERKS.

MR. PICKERSGILL: I beg to ask the Postmaster General whether his Order compelling the clerks employed in the Savings Bank Department to work for two hours beyond the usual time each day, except on Saturdays, applies to the whole of the staff; and whether the payment for this compulsory overtime is in each case at a rate not less than that received for work done during official hours?

*MR. RAIKES: The Order referred to in the first part of the hon. Member's question applies to the whole of the male staff, with the exception of such superintending officers as are not required. The payment for extra duty is rateable on the salaries up to a maximum of 1s. 6d. an hour.

THE WRITERS IN THE STATISTICAL ABSTRACTING DEPARTMENT.

MR. PICKERSGILL: I beg to ask the Secretary to the Treasury whether the Board of Customs have been informed of the decision of the Treasury respecting the future status and rates of pay of the writers in the Statistical Abstracting Department; and, if so, what is the cause of delay in the issue of the new scheme?

MR. JACKSON: Yes, Sir; the Board of Customs were informed of the Treasury decision on the 19th ult., and are occupied in settling the details of the scheme, which contains arrangements affecting other divisions of the Statistical Office besides the writers. I have asked the Commissioners to proceed, if possible, at once with the portion affecting the writers.

THE SINKING FUND.

MR. KEAY (Elgin and Nairn): I beg to ask the Chancellor of the Exchequer where, as under the Land Purchase Bill, a Government Stock is created, the yearly interest and sinking fund of which are provided by Terminable Annuities, whether there are any precedents for lending the capital value of the Sinking Fund on real estate for fixed periods, extending beyond the date of the termination of the Annuities; and, if there are such precedents, will he state them to the House?

*MR. GOSCHEN: I do not know whether there are any such precedents; but what the hon. Member suggests really would not happen, because it is not the object of the Bill to employ the Sinking Fund. The Sinking Fund will be employed only in the ordinary way that Sinking Funds are employed.

*MR. KEAY: The phrase used in the question is "the capital value of the Sinking Fund," not the Sinking Fund itself.

*MR. GOSCHEN: If the hon. Member will wait for a Return which is being prepared it will clear up this matter altogether.

THE MALAY PENINSULA.

MR. DE LISLE (Leicester, Mid): I beg to ask the Under Secretary of State for Foreign Affairs whether there is any foundation for the report, published in the *Globe* of 26th January, that Germany is endeavouring to obtain from the King of Siam the cession of a port and some territory in the Malay Peninsula, North of Penang, and South of British Burma; and whether Her Majesty's Government have any information as to whether such cession would be in accordance with the wishes of the Siamese Dependency of Kedah, formerly under British protection?

THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir J. FERGUSSON, Manchester, N.E.): Sir, we have reason to believe that there is no foundation for that report.

MESSRS. BRASS.

MR. CREMER (Shoreditch, Haggerston): I beg to ask the First Commissioner of Works when the contract with Messrs. Brass for the supply of workmen to Government Offices expires; and whether on its termination the Government will dispense with the services of middlemen, by engaging and placing under the control of the Government Clerks of Works all workmen employed at the Houses of Parliament, the British Museum, and other Government Offices?

*MR. PLUNKET: The contract with Messrs. Brass expires on the 31st of March next. The system of this and similar contracts entered into by the Office of Works has been carefully inquired into in the course of the past year by a Departmental Committee, which has advised that the practice of working through contractors should be continued, but under new regulations in regard to the payment of wages. I do not admit that under the existing contract middlemen are employed in the sense which seems to be suggested by the question of the hon. Member; but, under the new system, the sums paid by the Government for wages will not be subject to any discount or to any other deduction by the contractor. An invitation to tender for the new contract will in a few days be issued, and that will fully set out the conditions to which I have referred.

MR. CREMER: Will the right hon. Gentleman lay on the Table the terms of any contract proposed to be entered into?

*MR. PLUNKET: I have already stated that the invitation to tender will convey all the information asked for, and I hope it will be satisfactory. If afterwards the hon. Member wishes to see the form of contract I should be glad to show them to him; or, if it be necessary, there will be no objection to publish them.

MR. CREMER: I do not gather whether there will be any deduction made by the contractor from the wages of the workmen as voted by the House.

*MR. PLUNKET: There will be no sort of discount or deduction whatever.

MR. J. ROWLANDS (Finsbury, E.): Is there any objection to lay on the Table a statement of the terms before they are adopted?

*MR. PLUNKET: It will be seen as soon as the invitation is issued what the terms of the contract are, and I hope hon. Members will then be satisfied.

MAGAZINE RIFLE.

MR. MARJORIBANKS (Berwickshire): I beg to ask the Secretary of State for War whether he will lay upon the Table of the House the drawings and specifications of the changes made in the Magazine Rifle in the new issue Mark II.?

*MR. E. STANHOPE: The changes which are contemplated were indicated in general terms in answer to a previous question; but I am quite willing to lay on the Table a more detailed and specific list of the suggested improvements.

MR. MARJORIBANKS: How are we to discuss the details of this weapon unless we know what changes have been adopted?

*MR. E. STANHOPE: I have no desire to keep back any information; but, to speak frankly, I do not think the House is competent to settle the details of a question like this.

RAWNSLEY BOARD SCHOOL.

MR. LABOUCHERE: I beg to ask the Vice President of the Committee of Council on Education whether his attention has been drawn to the closing of the Infant Department of the Board School, Rawnsley, Staffordshire; whether he is aware that there was sufficient accommodation for infants at the Rawnsley School, and that such closing was resolved on against the express wish and despite the protest of the parents of the children attending the school; whether, prior to closing such infant school, the Cannock School Board satisfied the Education Department that the infant school was unnecessary, or whether the school has been closed without the sanction of the Education Department; whether he is aware that the nearest school is Hazel Slade Church School, 1,726 yards distant from the Rawnsley School, and more than a mile and a half distant from the homes of some of the infant children, who have, in consequence, to walk from four to six miles, twice going and returning each day; whether parents of infants residing in Rawnsley have been prosecuted for not sending their children to Hazel Slade Church School; whether bye-laws of the Cannock School Board have been recently altered so as to deprive the parents of excuse if residing more than one mile from the school; and whether the Department will cause inquiry to be made in the matter?

SIR W. HART DYKE: A small infants' class, which was attached to the Board School at Rawnsley for some years, has been discontinued, but I am not aware on what grounds. No complaint has been made as to the inadequacy or inconvenience of the present accommodation for infants; but in view of the circumstances described by the hon. Member, the Department will make further inquiries. The alteration of the byelaws has only reduced the limit which constitutes a reasonable excuse, from two and a half miles, to two miles.

SOUTH KENSINGTON MUSEUM.

MR. BARTLEY (Islington, N.): I beg to ask the First Commissioner of Works whether it is true, as stated in the public Press, that a competition is to be held for plans to complete the South Kensington Museum; and, if so, whether he will publish the conditions of the competition; and whether plans and models have already been prepared and paid for by the public, to complete the buildings in harmony with the large portion already erected; and whether these plans have been approved of by the Museum authorities?

DR. TANNER: Before the right hon. Gentleman answers the question, I wish to know whether the competition is to be confined to the architects already selected, or will be open, as was the case of the Law Courts, to other plans sent in too late for the competition?

MR. PLUNKET: It is true that a limited competition has been invited for plans to complete the South Kensington Museum. Eight gentlemen have been so invited, four of them named by the Council of the Royal Institute of British Architects, and four by the Office of Works. It is also true that plans were prepared by the late General Scott and paid for as part of General Scott's official duties when he was Director of the Works at South Kensington. I believe that, so far as they went, they were approved of by the Science and Art Department; but these plans were never put forward in a completed state, nor were they ever approved of by the Office of Works. In answer to the hon. Member for Mid Cork, I am glad to say that one of the gentlemen named by me is a very distinguished Irish architect.

MR. BARTLEY: Have the Museum Authorities been consulted in drawing up the conditions of the competition?

MR. PLUNKET: I do not know whether they have been formally consulted; but I am quite sure the conditions will meet with their entire approval.

CIVIL SERVICE CLERKS.

MR. JOHN KELLY (Camberwell, N.): I beg to ask the First Lord of the Treasury whether, in accordance with the Treasury Minutes of 10th August, 1889, and 4th February, 1890, and of the Order in Council of 21st March, 1890, relating to the clerks of the Second Division of the Civil Service, any recommendations have been received from the Heads of Departments for the promotion of meritorious clerks of that Division; how long any such recommendations have been before the Treasury; and what action has been taken with regard to them?

*THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): Some promotions of Second Division clerks have been made, upon the recommendation of Heads of Departments, to vacancies in the First Division and to certain staff places. Other recommendations affecting clerks of the Second Division have been received as part of change of organisation arising out of the Order in Council of March 21, 1890. In certain cases no decision has been arrived at on these recommendations, because the changes of organisation are still under consideration.

THE PROBATE AND DIVORCE COURT.

MR. JOHN KELLY: I beg to ask the First Lord of the Treasury whether it is proposed to make any alteration with reference to the very extensive patronage now vested in the President of the Probate, Divorce, and Admiralty Division before any successor to Sir James Hannen is appointed; and whether, if such alteration should be made, it would have the effect of securing a fair prospect of promotion to the highest offices to those who may have filled efficiently the higher and subordinate offices?

*MR. W. H. SMITH: The right of appointment to offices in the Probate, Divorce, and Admiralty Division is vested by Act of Parliament in the President for the time being; and Her Majesty having been pleased to approve of Mr. Jeune as the new Judge, Mr. Justice Butt has already, as senior Judge of the Division, by virtue of the Judicature Acts become President. No alteration, as far I know, is likely to be proposed in the prospects of the clerks of the Probate Registry, where the opportunities of rising appear to be better than in any other department of the Supreme Court.

TOWN HOLDINGS.

MR. BUCHANAN (Edinburgh, W.): I beg to ask the First Lord of the Treasury when the Town Holdings Committee will be re-appointed, with the addition of the Scotch Members to the Committee, to consider the Scotch branch of the subject, as promised by the Government on 19th May, 1890?

*MR. W. H. SMITH: The Town Holdings Committee will be re-appointed as soon as possible, and the promise of the Government as to the addition of the Scotch Members will not be overlooked.

PRIVATE BILL PROCEDURE (SCOTLAND) BILL.

SIR JULIAN GOLDSMID (St. Pancras, S.): I beg to ask the First Lord of the Treasury whether, in nominating the Committee on the Private Bill Procedure (Scotland) Bill, he will take care that English and Irish Members are fairly represented, as the principles adopted with regard to Scotland will guide future legislation with regard to England and Ireland?

*MR. W. H. SMITH: In nominating the Committee on the Private Bill Procedure (Scotland) Bill care will be taken that English and Irish Members are fairly represented.

MR. SEXTON (Belfast, W.): May I ask whether the hon. Baronet speaks with authority when he says that "the principles adopted with regard to Scotland would guide future legislation with regard to England and Ireland?"

*MR. W. H. SMITH: The hon. Baronet speaks on his own responsibility.

IRISH LIGHT RAILWAYS.

DR. TANNER (Cork Co., Mid): I beg to ask the Attorney General for Ireland if a Memorial has been received from the Guardians of the Bandon Union, County Cork, urging the construction of a light railway between Crookstown and Enniskeane, and if this Memorial has been considered; and with what result?

THE ATTORNEY GENERAL FOR IRELAND (Mr. MADDEN, Dublin University): No Memorial of the nature mentioned by the hon. Member has been received by Her Majesty's Government.

In reply to further question by Dr. TANNER,

MR. MADDEN said: Any suggestion made by the Guardians will receive careful consideration.

HAULBOWLINE DOCKS.

DR. TANNER: I beg to ask the First Lord of the Admiralty when the Haulbowline Docks in Cork Harbour will be completed; whether any practical advance has been made to provide these docks with the necessary fitting shops; whether any employment for labour will be afforded to local workmen; and what has been the cost up to the present time in the construction of the docks?

*LORD G. HAMILTON: The dock and basins at Haulbowline are complete. Existing buildings and machinery are being adapted or provided for fitters' workshops, and will shortly be completed Work connected with repairs and maintenance will be done by local labour, and, in the case of new works done by contract, suitable local firms would be invited to tender as well as other firms. The works in connection with the extension of the yard and other accessory works and buildings have cost approximately £600,000.

DR. TANNER: How soon will it be possible to accommodate ships of the size which now frequent Cork Harbour?

*LORD G. HAMILTON: I am not sure that that can be done all at once; but I think it will be possible in the course of a few months.

H.M.S. *SHANNON.*

DR. TANNER: I beg to ask the First Lord of the Admiralty whether it is a fact that H.M.S. *Shannon*, which has been employed as a guardship in Bantry Bay, was recently sent to Plymouth for repairs to its deck; whether such repairs could have been efficiently, and with less cost, carried out at Passage West in Cork Harbour; and whether, in view of the great distress prevailing at Passage, any necessary repairs of ships of the Royal Navy stationed on the South Coast of Ireland, which could be effected satisfactorily and with economy, might be done in the Passage docks?

*LORD G. HAMILTON: The *Shannon* has gone to Devonport for her annual refit, repairs, and stores, and the class of work required could not have been done by any private dockyard.

ADMINISTRATION OF THE CRIMES ACT.

MR. J. MORLEY (Newcastle-upon-Tyne): Mr. Speaker, may I remind the First Lord of the Treasury that on the first day of the Session he was good enough to promise me a day for raising a discussion on certain matters connected with the administration of the law in Ireland, and may I ask him whether it would be convenient for him to name a day on Thursday?

*MR. W. H. SMITH: I hope I may be in a position to give the right hon. Gentleman an answer on Thursday.

TRADE AND NAVIGATION.

Accounts ordered—

"Relating to the Trade and Navigation of the United Kingdom for each month during the year 1891."—(*Sir Michael Hicks Beach.*)

Copy presented accordingly; to lie upon the Table, and to be printed. [No. 58.]

"R. *V.* CURRAN AND OTHERS."

Address for—

"Revised Report from the *Western Morning News* of the 10th day of January, 1891, of the Judgment delivered on the 9th day of January, 1891, by H. M. Bompas, Esquire, Q.C., Recorder of Plymouth, upon an Appeal against the Conviction of Curran, Matthews, and Shepheard under Section seven of 'The Conspiracy and Protection of Property Act, 1875.'"—(*Mr. Stuart Wortley.*)

LICENSED PREMISES (SCOTLAND).

Return ordered—

"Of Particulars, with Abstract added, relating to Premises Licensed for the Sale of Intoxicating Liquors in the Burghs (Glasgow excepted) and Counties of Scotland, in the following form:

	Address of Premises, Street, and Number.
	Name and Address of Owner of Premises.
	Name of Holder of Licence.
	Annual Rental of Premises.
	Estimated Population of each Ward in Towns and of each County.
	Number of Licences per 1,000 of Population.
Number of Licences.	Grocer.
	Public House.
	Hotel.

—(*Mr. Provand.*)

NEW MEMBER SWORN.

Christopher Furness, esquire, for the Borough of The Hartlepools.

MOTIONS.

THE PARLIAMENTARY OATH (MR. BRADLAUGH.)

(4.10.) MR. HUNTER (Aberdeen, N.) in rising to move—

> "That the Resolution of this House of the 22nd day of June, 1880—'That, having regard to the Reports and Proceedings of two Select Committees appointed by this House, Mr. Bradlaugh be not permitted to take the oath or make the affirmation mentioned in the Statute 29 Vic., c. 19, and the 31 and 32 Vic., c. 72,'—be expunged from the Journals of this House, as being subversive of the rights of the whole body of Electors of this Kingdom"

said: I am sure that in every part of the House there will be one feeling of regret and of sympathy with respect to the unfortunate illness of the hon. junior Member for Northampton (Mr. Bradlaugh), which disables him from moving the Resolution which stands in his name. In compliance with what I believe to be the wishes of the hon. Member on a subject that naturally lies near to his heart, I have taken upon myself to move that Resolution. In the few words which I propose to address to the House in explanation of the Motion, I trust that I may avoid a single word that would stir up bitter memories of past controversies, and I shall confine myself to stating briefly the facts on which the Motion is based. It will be in the recollection of those hon. Members who had seats in the House between the years 1880 and 1885 that a long series of painful controversies took place in regard to the position of the hon. Member for Northampton, and that on June 22, 1880, a Resolution was arrived at by the House declaring that the hon. Member should not be permitted to take the oath or make the affirmation required by statute. There were two views presented to the House at that time of the rights and duty of the House of Commons with respect to Members taking the oath or making the affirmation. On one side it was contended that the rights and duty of the House were of a purely ministerial character; that its sole duty was to see that the forms prescribed by law were duly observed; that if any controversy were raised as to the legal effect of what was done in any particular case, that should properly be determined in the Courts of Law, where a legal remedy is provided if the oath is improperly taken; and that a long course of experience has shown that this House has seldom been happy when it has trespassed beyond the strict sphere of its legal duty. On the other hand, it was contended that the House had a right to interfere between a Member and his taking his seat. Whatever views may be entertained on that question, the fact remains that in 1886 and 1887, when the hon. Member for Northampton took the oath at the Table, the House abandoned the position it had formerly taken up and did not interfere with his taking the oath. And again, in 1888, mainly by the exertions of the hon. Member for Northampton himself, an Act was passed which for ever puts an end to the cause of the controversy which then existed. In these controversies there was not only a political, but a personal element. I remember the hon. Member for Northampton himself when he spoke at the Bar of the House referring to the language which had been showered upon him, and expressing himself thus:—"How unworthy I am that this controversy should have to be decided in my person." At that time the name of the hon. Member for Northampton was darkened by a great cloud of misconception. I believe it will be universally admitted that of those who from personal motives and considerations at that time were opposed to his admission to the House—sincerely and conscientiously opposed to it—there are now very few who by this time have not entirely changed their opinion. I think all will be agreed that the hon. Member for Northampton has displayed a most devoted attention to his public duties, unwearied industry, conscientiousness, and great ability, and I think I shall have the assent of Members in all parts of the House when I say that there is no Member who exhibits greater courtesy and fairness to his opponents than the hon. Member for Northampton. With regard to the form of the Motion, it has been framed upon the precedent in Wilkes's case. In that case the Motion that was adopted on May 3, 1782, was that a certain Resolution should be expunged from the Journals "as being subversive of the rights of the whole body of electors of this kingdom," so that the present Motion is framed strictly on precedent; but I believe I am expressing the views of the hon. Member for Northampton in saying that if there is any difficulty about accepting those words the hon. Member would be satisfied with a Motion rescinding the Resolution of 1880. I believe that I shall best consult the wishes of the House by now leaving in its hands the Motion which I beg to move.

MR. D. CRAWFORD (Lanark, N.E.) seconded the Motion.

Motion made, and Question proposed,

"That the Resolution of this House of the 22nd day of June 1880, 'That having regard to the Reports and Proceedings of two Select Committees appointed by this House, Mr. Bradlaugh be not permitted to take the Oath or make the Affirmation mentioned in the Statute 29 Vic. c. 19, and the 31 and 32 Vic. c. 72,' be expunged from the Journals of this House, as being subversive of the rights of the body of Electors of this Kingdom."—(*Mr. Hunter.*)

*(4.17.) THE SOLICITOR GENERAL (Sir E. CLARKE, Plymouth): The hon. Member has moved the Resolution which he has proposed to the House with much moderation, recognising that it is a serious thing which he wishes the House to do—namely, to erase as far as may be from its records an incident which is undoubtedly of a very remarkable and very important character. The hon. Member has not gone into that discussion of precedents which took place when this matter was last debated in this House, in the earlier part of 1889. He may be sure that there is no one in this House who does not feel sympathy and regret as to the causes which prevent Mr. Bradlaugh himself from being in the House to argue his own case. But the suggestion which the hon. Member has made to the House, and which was made about two years ago and was then rejected, is a Resolution of a serious character, and should be justified—if it is justified at all—by reference to some considerations of public expediency or to some precedents in our Parliamentary history. In the Debate which took place two years ago several precedents were stated to

have occurred for the erasure of a Resolution of this kind, but to-night the hon. Member has mentioned only the case of John Wilkes, who in 1769 was declared by a Resolution of this House incapable of sitting in Parliament, but who afterwards sat in Parliament from 1774 to 1782, and who then, after a series of almost annual Motions, succeeded in obtaining the consent of the House to the erasure of that Resolution. That certainly was an interesting and notable incident, but the House must remember what the circumstances were under which the Resolution of rescision was passed; that it had been moved year after year from 1774 to 1782, and in 1782 it was carried in the House of Commons in a very small House, in spite of the protest of Mr. Fox. It was carried by a House so small in its numbers as to make the question of the rescision of that Resolution one of very little importance indeed—[*Opposition cries of* "Oh!"]—of very little importance indeed, because it had only been rescinded by the House when it was weary of the importunity of successive years, and in a House very much smaller than that in which the Resolution was originally carried. I am sure it will be conceded that the authority of a decision of the House of Commons depends very much upon the number of Members present in the House at the time when the decision is taken. If there had been a distinct controversy raised, and a Resolution passed in a large House with many Members in attendance, and it was afterwards rescinded in a very much smaller House than that in which it was passed and without so distinct a challenge having been raised, its rescision would be, I venture to say, of comparatively small importance. We are now asked, in a small House, to deal with a Resolution which, on the 22nd of June, 1880, was passed after a long and important discussion by a House consisting of over 500 Members. Supposing that the Resolution was not such as the House would now accept, is it according to the traditions of the House, and useful, that that Resolution should be expunged from the proceedings of the House? I venture to say that it is not. I venture to say that there is no precedent for it of any value at all, except the case of Wilkes, and in that case not only was the Motion passed under the circumstances to which I have referred, but the Resolution which it was sought to rescind declared that Wilkes was incapable of sitting in Parliament. But at the time when the Resolution was moved Wilkes was sitting in Parliament, and had been doing so for some years. Therefore it may have appeared to Members that an anomaly existed which they ought to correct, and that they should not leave on the records of the House a Resolution excluding a Member who in fact had been sitting in the House for many years. But these things being remembered in the case of Wilkes, I would ask the House what useful purpose would be gained by the excising of the Resolution passed in 1880? Nothing can do away with the fact that in 1880, after serious challenge and a substantial Debate, the House of Commons came to the Resolution now complained of. No number of Resolutions passed by this House now or hereafter can remove that fact from the Parliamentary history of the country. Whether it was right or wrong, it was a resolution taken and an act done by the House, and I confess that it seems to me childish to strike out from the records of the House an incident which must remain celebrated in the history of this House. But, secondly, supposing that it is desired to contradict the assertions of the Resolution, a more direct way would have been to submit to the House a Resolution raising the real question which was raised in 1880. If that were raised, I should be very glad indeed to meet such a Resolution, and to maintain that the original Resolution was right, and that the act of the House of Commons was not only within its legal and moral competency, but an act which the House was bound, in protection of its own dignity, to do. I would ask the House to note what the Resolution is that was passed in June, 1880, and which it is now sought in some way or another to get rid of. It says that Mr. Bradlaugh should neither be permitted to affirm nor to take oath, and the ground upon which it was arrived at is this:—A Committee of this House reported that Mr. Bradlaugh was not a person, who, as the law then stood, could be allowed to affirm. That was the first proposition, and that proposition was correct in point of law, and was afterwards upheld by the Court of Appeal of this country, which decided that Mr. Bradlaugh was not at the time of the passing of that Resolution a person who in law was entitled to affirm. The other portion of the Resolution forbade him to take the oath, and it was contended that the House of Commons knew, from Mr. Bradlaugh's own statement, that he was a person who in law was disqualified from taking the oath. On that contention the House acted, and on that contention it passed the Resolution That contention was correct, because Mr. Bradlaugh came to the Table of the House and went through a form of taking the oath, and its validity was examined before a Court of law, and it was decided then that the House of Commons was right in its judgment of the 22nd of June, 1880, that Mr. Bradlaugh was not a person who could take the oath. Therefore both the propositions contained in the Resolution of the 22nd of June, 1880, were carefully examined and deliberately affirmed by the best judicial authority of the country. In these circumstances, what is the proposition that is now laid down? It must be admitted that at the time when the Resolution was passed, Mr. Bradlaugh could not take the oath according to law, and could not affirm according to law. What the House of Commons did on the 22nd of June, 1880, was to protect its own dignity and the regularity of its proceedings, by forbidding the performance before it of a ceremony which in law would neither be the valid taking of the oath nor the valid taking of an affirmation. Although it was contended at the time that he was entitled to take one of the two courses, that contention is no longer possible in the face of the decision given by the Courts of Law. In these circumstances, why is the House asked to rescind this Resolution? Is it because the Resolution is not in its substance and its foundation true? That cannot be, because its truth has been established in the Courts of Law. It must be on the ground that although circumstances then known to the House satisfied its judgment—and satisfied its judgment correctly—that neither process would be lawful, that though the House was right, it has no title to enforce the law in its own protection, even when fairly and rightly informed both of the law and the facts. I venture to say that that is not a proposition which can be substantially maintained before this House. I may remind the House that it was not upon extraneous information, upon rumour from outside, or upon evidence which the House was not entitled to regard, that it took this step in 1880. It was in a Debate started by the hon. Member for Northampton on behalf of his colleague, when he moved that Mr. Bradlaugh be allowed to make an affirmation. The only possible ground on which the hon. Member could claim to do so was that an oath was not binding on his conscience, and that very claim gave notice to the House that the hon. Member was not a person who could properly be allowed to go through the mere empty form and ceremony of taking the oath at the Table. The House of Commons had already been advised by its Committee that the hon. Member could not legally affirm, and how can it be suggested that the House of Commons was not entitled to protect its own proceedings? I do not know whether the right hon. Gentleman the Member for Mid Lothian proposes to support the Motion in Debate. If he does, I will remind him now of words used by him in Debate in 1880 in regard to the proposed erasure from the Journals of the House of the Resolution of 1769. The right hon. Member said—

> "Mr. Wilkes renewed his Motion from year to year for seven more years, and at last in 1782 he carried it. Not only that, but as a mark of ignominy he induced the House of Commons to expunge the proceedings taken against him from the Journals of the House. He then strengthened and deepened that mark of ignominy by appending to the Motion that the proceedings of the House were subversive of the rights of the body of electors in this country."

If the right hon. Gentleman is going to support this Resolution in Debate, he will be asking the House of Commons to adopt a Resolution which will not only reverse the decision of 1880, but, as a mark of ignominy, he will be inducing the House of Commons to expunge these proceedings from the Journals of the House. Why is this ignominy to be brought on the Parliament of 1880? The Resolution complained of was not a sudden expression of the partisan feeling of a Party majority of the House. The right hon. Gentleman at that time was Prime Minister and Leader of the House. He had with him a very large majority in the House, and was at the head of one of the strongest Ministries of modern times, and yet, with all the influence that could be brought to bear upon his followers, and with the inspiration of one of the most remarkable speeches the right hon. Gentleman ever delivered in this House, he was defeated by a majority of 275 to 230, this being not at all an expression of Party antagonism, but the expression of a very much stronger and deeper feeling even in parts of the House where the right hon. Gentleman's authority and influence were well recognised—a feeling which induced the majority to refuse to allow proceedings to take place at the Table which they believed would be simply a mockery of legal forms. On that ground I submit to the House that there is no reason for passing the Resolution put forward. There is no doubt a difference of opinion on the point, but I believe absolutely and clearly that the House was within its rights in the proceedings it took; and although by the Act of 1888 the House has removed the difficulty and rendered intelligible the position of Members who desire to come to the House without feeling able to go through the form of taking the oath, yet I trust that if any similar circumstances should happen in the House, the House will have courage and resolution enough to protect itself by passing a similar Resolution. Since 1880 there has no doubt arisen a feeling of sympathy for the hon. Member for Northampton, and the hon. Member has more than once pleaded in the House as if this were a personal matter to him. That no doubt to some extent has moved and swayed the judgment of some hon. Members, but surely that is not a practical way of looking at the matter. The question whether or not this Resolution shall stand does not in the least concern the *status* in the House of the hon. Member. The Resolution was carried in 1880, but he has been sitting among us since 1885, and if he should come to take his seat in another Parliament the Act of 1888 has removed every difficulty from his way. There can be, then, no personal object in the matter, no such reason as was shown in the Wilkes case. Thus the erasure of the Resolution will answer no purpose, and while I contend that that Resolution was rightly come to, was justified by the facts and by the opinion of the House of Commons at that time, and was distinctly and unequivocally endorsed and upheld by the Courts of Law, I contend that it having been come to by the House of Commons, and also entered upon the Journals of the House, as a record of an interesting and important incident in Parliamentary history, it will answer no useful purpose, nor will it be in furtherance of any principle, or in relief of any individual from disqualification now, to remove it from the Journals of the House.

(4.40.) MR. W. E. GLADSTONE (Edinburgh, Mid Lothian): I am happy to think that in this Debate the speeches have been brief and the tone temperate. I shall endeavour to follow the example which has been so well set by my hon. Friend and the hon. and learned Gentleman opposite, and make no long demand upon the time of the House. In point of fact, I think that while length of speaking may sometimes be warrantable in the view of zealous advocates, for the purpose of covering a case which is felt to be weak, we who support the Motion of my hon. Friend have such confidence in the strength and in the simplicity of our case that it would be quite unwarrantable if we were to lead the House into lengthened disquisition. I cannot help saying, after having heard the speech of the Solicitor General—of whose acuteness we are all perfectly well aware—I cannot help intimating a suspicion that the Solicitor General himself has spoken with a feeling of some discomfort, mistrust, and misgiving, as to the nature of the arguments he was using, which I admit he may have been so far justified in using, that there were no better ones that could have been brought forward. But the hon. and learned Gentleman must not suppose that this is a gratuitous flourish or endeavour to inflict pain or slight or disparagement upon anyone by passing a Motion which he began by saying was totally unnecessary. I will endeavour to give the hon. and learned Gentleman the reasons. The proceedings of this House, speaking generally, are precedents for the future conduct of the House. Whatever proceeding stands uncorrected is a precedent *pro tanto*, and is presumptively entitled to some degree of weight and authority, or at any rate we are entitled to suppose, if it remains, and remains unattacked, that it does not contain within it the elements of a vicious principle. We believe that the proceeding in question is one that cannot be defended, and that it was fraught with one of the most mischievous and dangerous of all principles—namely, excess of jurisdiction. We believe that that constitutes the strongest reason for removing it. I say, Sir, that excess of jurisdiction is a matter which is usually subject to appeal. Even if it is not subject to appeal, it is limited to a particular case. It is sure to be noted, and it is most unlikely to recur. But in an assembly possessed of the almost immeasurable powers that belong to this House, and in an assembly with regard to which appeal against its proceedings is a thing totally unknown—for no power on earth can interfere with them so far as regards its control over its own Members — excess of jurisdiction is the greatest fault the House can possibly commit, however honest or conscientious it may be; and to leave on our records, with a presumptive authority, a case of manifest excess of jurisdiction is to leave upon our records the seeds of future mischief to be appealed to and turned to evil account in evil times. I think that is a pretty strong reason for our proceeding in this case. The hon. and learned Gentleman relies a good deal upon the Judgments of the Courts of Law. Sir, the Judgments of the Courts of Law do not touch the point. They do not notice the excess of jurisdiction on the part of the House. If the question had been raised before the Courts of Law whether the House had acted within its right, and the Courts of Law had then affirmed that the House had acted within its right, then I could understand the appeal of the hon. and learned Gentleman. But no such question could be raised before the Courts of Law. I might be considered guilty of a criminal offence—it is unlikely, but I can conceive of such a case—I or any Member of this House might be considered guilty of some criminal offence, and that criminal offence might be practically within the knowledge of those who hear me. That would not justify the House in passing judgment and condemnation upon me. It is one of the highest duties of this House to limit its own functions and jurisdiction, and I cannot therefore agree with the hon. and learned Gentleman in considering this Motion as being without any substantial meaning and purpose, for the object which I have endeavoured imperfectly to describe is one of high and serious order. The hon. and learned Gentleman says this is only a small House, and that only a few Members are present compared with the numbers who passed these Resolutions. But is that a just criterion? This House may now be smaller than it otherwise would be, on account of the reluctance of some hon. Members to take that part in this discussion which their Party allegiance might seem to entail on them in regard to the Motion of my hon. Friend. That may account for the partial reduction in the attendance this evening, and for the comparative smallness of the number of Members present; but the true answer is that the smallness of the House is not the test. I remember a good case in point. For three months in 1851 we were engaged in a desperate battle over the Ecclesiastical Tithes Bill, and it was discussed in large Houses of 300, 400, and 500 Members. I should like to know how many Members were in the House when that measure was repealed. It was not a case so grave as this, for it was a matter of policy, while this is a case of jurisdiction. But it was a case in which everyone felt that a great and grievous error had been made, yet I should not be surprised to find that the Act was repealed in a House of less than 100 Members. The hon. and learned Member says that the rescinding of the Resolution in the case of Wilkes was not entitled to much authority, because it was carried in a small House. I presume there was a small House, because there was a general concurrence in what was being done. If it was a small House owing to surprise that would be a different matter; but there could be no surprise in the case, for, as the hon. and learned Gentleman has stated, the Motion had been made year by year and Session after Session, and its Sessional revival was a notice to all who cared to be present at the discussion. The hon. and learned Gentleman went on to admit, however, that in the case of Wilkes there was some reason for a proceeding of that kind, because it was felt to be a Parliamentary anomaly that there should be sitting in the House of Commons in his corporeal form a gentleman with regard to whom there was, on the Journals of the House, a Resolution declaring him incapable of so sitting. But does not the hon. and learned Gentleman see that that exactly applies to the present case? Yes, precisely. If that was a matter of consideration in the case of Wilkes it must also be so in the present case. I will only mention another point in regard to which I feel the House will do well to correct the error into which it fell on a former occasion. I myself was one of the minority, but I was a Member of the House, and am concerned in the honour of that past House and of every House in which I have had the privilege of having sat, and I am therefore anxious that we should clear ourselves as well as the rest of the House from the discredit of an act which involved serious error. What I feel—what is felt on this side of the House, and what I think must on reflection be felt on the other side of the House also—is this: The strength of the case against Mr. Bradlaugh depended upon the words drawn by us from his own mouth. We sent him before a Committee. Before that Committee Mr. Bradlaugh, with an ingenuousness which does him honour, but with a simplicity which a practised man of the world would have qualified on such an occasion, made statements which caused us to become seised of the state of his mind in regard to questions of religious belief, and it was by our own act and by the pressure put by us on him that we drew from him statements on which our subsequent proceedings were based. I do not think that was a generous proceeding. However viewed then, viewed calmly now in the light of the golden distance, we must feel that that was a proceeding open to correction. Now, with regard to the form of this Motion, the hon. and learned Gentleman has quoted from a speech of mine in reference to the similar Motion in Wilkes's case. I pointed out that Mr. Wilkes's Motion not only relieved him from all difficulty and cleared up finally and completely the case in which he was concerned, but it carried a sting in it and recorded a distinct reproach against the House of Commons by describing the proceedings which it was supposed to rescind, "as being subversive of the rights of the whole body of electors of this kingdom." Those words are repeated in the Resolution of my hon. Friend now before the House. I confess I should be glad if we could arrive at some pacific solution of this question, and I venture to suggest we should do no harm by consenting to the omission of these words. Our object is to remove these records from the Journals of the House, which, so long as they remain there, give them some kind of title of authority as precedents. Our object is a wholly practical one. I think if we attain this object the hon. Member for Northampton may feel we do him no injustice in consenting to abandon the attempt to place on the Journals of the House words which convey a reproach on a former House which is totally unnecessary. If we are able to dispense with the closing words of my hon. Friend's Resolution, which I understand he is willing to do, I would commend this Motion to the House as one that is called for by the circumstances of the case, and one which may save its successors from the danger of committing the most dangerous error—the error, namely, of exceeding the limits of its own jurisdiction.

*(4.57.) SIR STAFFORD NORTHCOTE (Exeter): As the House is aware, I may claim some hereditary interest in this matter, and I should like therefore to say one or two words, such as I believe Lord Iddesleigh would have used had he been with us. As a private Conservative Member I should like to remark that all who heard the speaker, the introducer of the Motion, must be prepared to acknowledge the admirable tone and temper with which the question has been brought forward. All on this side of the House will be perfectly prepared also to recognise fully the good service which the junior Member for Northampton has rendered in the House, and to unite in expressing deep regret at his serious illness. Having said this I may venture to suggest to the First Lord of the Treasury that the compromise which the right hon. Gentle-

man the Member for Mid Lothian has recommended be accepted at once and with unanimity. By the adoption of this course the wish of the hon. Member for Northampton, which has been referred to, to the effect that no pain might be given to Members on this side of the House; will be gratified. As the Motion stands at present it would be impossible for us on this side of the House to accept it, for we cannot admit that the action of the former Parliament was illegal. But as the right hon. Member for Mid Lothian has expressed his opinion that the insertion of the words to which exception is taken is not obligatory, so far as I am concerned, I shall be glad if the right hon. Gentleman the leader of the House can see his way to adopt the amended Resolution.

(5.0.) MR. LABOUCHERE (Northampton): I do not wish to prolong the Debate. I think for many reasons it would be undesirable to do so. Speaking in a sense as the personal representative of Mr. Bradlaugh, I may say that he will consent willingly to these words being withdrawn. If the Resolution be passed without them, my hon. Friend will regard the matter as entirely settled; and when my hon. Friend returns amongst us, as we all hope he will soon, he will in no sort of way raise the question again.

*(5.1.) THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): I feel that after the admirable appeal of my hon. Friend from behind me, and after the speech of the right hon. Gentleman the Member for Mid Lothian, it is only right that I should intervene now and state the course which the Government propose to take. I must express for myself, and, I am sure, for all my hon. Friends on this side of the House, the great regret we feel at the illness of the hon. Member for Northampton. As the hon. and learned Member for Aberdeen has remarked, the Member for Northampton is undoubtedly a warm partisan. He takes a strong view on all points on which he thinks it right to give expression to his views in this House; but he has been undoubtedly a valuable addition to this House, not only from the freedom and independence with which he has expressed his views, but from the manner in which he has conducted himself in this House. We have now to consider his Motion in his absence. He would, no doubt, have preferred to make a statement in the House on the subject himself, ably and temperately as it has been done by the hon. and learned Member for Aberdeen. There are a few observations which I wish to make. While acknowledging the moderate tone and temperate spirit which have characterised the debate on this question, I wish to take exception, so far as the right hon. Member for Mid Lothian is concerned, to the remarks of the right hon. Gentleman in which he urged us to expunge the Resolution of 1880 from the Journals of the House, on the ground that all the proceedings of the House are precedents, and are binding on the House in future. Undoubtedly the proceedings of the House are valuable precedents for the guidance of the House in its business. They are precedents, and ought to be precedents, unless the law is altered in respect to that which was entered on the Journals. The law has been altered in the case of the oath. It was altered by the Act of 1888, and the proceedings of the House in 1880 can therefore form no precedent whatever. Therefore I should contend—and I hope I am not introducing contentious matter into this Debate—that the House in 1880 did not exceed its jurisdiction. It has been shown distinctly, and conclusively, that the House acted according to the best interpretation that it had of the law of the land, and of Parliament at that time. The evidence on which that action was grounded was the statement of the Member for Northampton himself, as to his own views made before the Committee. The House acted upon that information, which shows conclusively that in so acting it was not acting without knowledge, and it so acted to give effect to what was the law of the land at the time. If the hon. Member had refused to answer the questions put to him, he would no doubt have been within his right in doing so, but in giving his answers he acted in a consistent, straightforward and manly manner. I am quite sure the hon. Member for Northampton would be the last person in the world to complain of the consequences of his own acts, or that his words formed the ground upon which action was based. I have considered

very carefully the suggestion which has been made by the hon. and learned Member for Aberdeen, and supported by my hon. Friend behind (Sir S. Northcote). We remain of the opinion expressed in the Resolution of 1880. We believe that the House at that time did its duty—the majority of the House, which consisted not only of Conservatives, but a large contingent of Liberals. But, Sir, the circumstances are entirely changed. There is no longer any necessity for maintaining on the Journals of the House this Resolution, and in all the circumstances in which we find ourselves, and bearing in mind the fact that Mr. Bradlaugh has been a useful Member of this House during the last six or seven years, I, for one, shall not resist the Motion, which the hon. and learned Gentleman has made, upon the understanding that the last words impugning the authority and control of the House are struck out. I could not under any circumstances, consent to say that the House in 1880 exceeded its duty—that it did anything contrary to the law of Parliament, or anything in derogation of the rights and privileges of the people. But if it is merely the desire that the Resolution of 1880 should be erased from the records, I shall offer no opposition.

(5.8.) MR. HUNTER: I believe I shall be acting in accordance with the wish of the hon. Member for Northampton, and as he would act if he were here, in accepting the suggestion which my right hon. Friend (Mr. Gladstone) has made, but I think it right to point out to the House that these concluding words were inserted in the Resolution, I imagine, rather from a strict fidelity to the precedent my hon. Friend (Mr. Bradlaugh) was copying, than with the intention of making any suggestion derogatory to the House. Therefore I will move the Resolution, omitting the words "as being subversive of the rights of the whole body of electors of this kingdom."

*(5.9.) MR. NORRIS (Tower Hamlets, Limehouse): In the painful circumstances, I am most unwilling to prolong the Debate; but I think that no conclusive argument or justification has been brought forward for expunging the Resolution from the Journals of the House. The right hon. Gentleman the Member for Mid Lothian stated more than once that he thought the House in 1880 committed an excess of its jurisdiction, but I may remind hon. Members that at that period the right hon. Gentleman was himself responsible for the proceedings in this House; he was then omnipotent, with a large majority at his back. I can only endorse the words of the Solicitor General, and it has been plainly proved that no useful purpose can be served by removing the Resolution from the Records. I will not put the House to the trouble of a Division; but I wish, on the part of myself and many Friends around me, to point out to our Front Bench that we are not entirely unanimous, and to make a personal protest.

(5.10.) MR. DE LISLE (Leicestershire, Mid): I beg, consistently with the action I have taken on former occasions, to enter my personal protest against the course which has been adopted in making the compromise. It may be a matter of small consequence whether the Resolution is expunged or not from some points of view, but I think that if such a step is taken it will tend to lower the *status* and dignity of the House of Commons. I have expressed the opinion before, that a national assembly which legalises atheism and whitewashes treason cannot long withstand the waves of anarchy which threaten to overwhelm all civilised countries. I may be wrong in my view, but I avail myself of my privilege and make my protest. The right hon. Gentleman the Member for Mid Lothian may now contend that the Government recognise the force of his arguments, and that is a position which he is clearly entitled to take up. The Government have consented to expunge this Motion from the Journals of the House. I foresee the day, not long hence, when an effort will be made, and successfully made, to expunge the Report of the Parnell Commission as being an excess of jurisdiction. The Leader of the House at that time will say to the mover of the Resolution, "I deny your arguments, but you shall have your way." If we cast our eyes back to the History of the English Parliament, I, as a royalist, maintain that this House was guilty of exceeding its jurisdiction when it condemned King Charles I., but I have never heard that at the Restoration it was proposed to expunge the record of that event. I can only express my deep regret at the illness of Mr. Bradlaugh. I never opposed his action from any personal or private motives. It always appeared to me to be simply a matter of principle, and if, on former occasions, I opposed the abolition of the oath, I did so in the belief that the abolition of the oath entailed the abolition of the decalogue. [*Laughter.*] Hon. Gentlemen may laugh, but I maintain in strict logic if the decalogue has no higher sanction than the *dictum* of Moses, then it has no binding force upon us, but recent events prove to us that the decalogue is as sacred to those who sit opposite as it is to those who sit around me. I can only express my deep regret that Her Majesty's Government have retired from the position which I thought they would always maintain when I first sought the honour of representing a constituency of my native county as a Member of the Tory Party.

*(5.15.) SIR W. BARTTELOT (Sussex, North West): I regret extremely that we are not unanimous on this question. I had hoped that we should not have a dissentient voice from the offer of the right hon. Gentleman opposite, which has been accepted by the leader of the House. The Tory Party feel that they were right in the course they took in 1880; but things have altered since then. The Act of 1888 has made a great difference. The conduct and the character of Mr. Bradlaugh since he has been in the House have been such that, whatever our political opinions may be, we cannot help admiring the straightforwardness of that hon. Member in the discharge of his duties as a Member. A generous feeling has prevailed towards Mr. Bradlaugh, and I hope it will continue to prevail when the House learns the circumstances in which that hon. Member is now placed. God grant that the junior Member for Northampton may recover; but whatever happens, hon. Members will feel that, by accepting this Motion, they have done a generous act to a man who has endeavoured to do his duty.

*(5.18.) MR. SPEAKER: The Motion must be withdrawn so as to be brought up in an amended form.

Motion, by leave, withdrawn.

Mr. de Lisle

Motion made, and Question,

> "That the Resolution of this House of the 22nd day of June, 1880—'That, having regard for the Reports and proceedings of two Select Committees appointed by this House, Mr. Bradlaugh be not permitted to take the Oath or make the Affirmation mentioned in the statute 29 Vic., c. 19, and the 31 and 32 Vic., c. 72,'—be expunged from the Journals of this House,

—put, and agreed to.

REGULATION OF RAILWAYS.

(5.20.) MR. LENG (Dundee): Rose to move a Resolution standing in his name on the Paper.

*(5.20.) MR. SPEAKER: The hon. Member proposes

> "To call attention to the Return presented to both Houses of Parliament in pursuance of section 4 of The Regulation of Railways Act, 1889; and to move for leave to bring in a Bill to limit the hours of labour of Railway Servants, and to confer certain powers on the Board of Trade."

I am afraid that in the face of the decision of the House on Friday, it will be impossible for him to make that Motion. Further steps would first have to be taken to rescind the Resolution of Friday, which affirm that no Bill ought to be brought in giving powers to the Board of Trade. The hon. Member's Resolution would, therefore, be out of Order.

SECRETARY FOR MINES.

*(5.22.) MR. W. P. MORGAN (Merthyr Tydvil): I rise to move—

> "That in the opinion of this House it is desirable to create a Department to have the control and supervision of the mining industries of the country, to be controlled by a Minister of the Crown, such Minister to be called the Secretary for Mines."

It is the first time that a Motion of this character has been brought before the House, but we have a precedent for the creation of new Ministers in the appointment of the right hon. Gentleman the President of the Board of Agriculture. We have also the example set us by all our Colonies, who have Ministers of Mines to whom appeal can be made in matters affecting the mining industry. It should be borne in mind that the total output of the mineral wealth of the Australian Colonies is £26,000,000, while the average of the United Kingdom varies from £75,000,000 to £80,000,000 per annum. I submit that this fact shows the necessity for the creation of a new office, which can easily be controlled by a Minister like the present Minister of Agriculture. For such an important industry as that of mining it is essential, to my mind, that there should be some Minister in the House to whom appeals can be made with reference to it. We know that when questions arise in this House affecting the industry of mining, the Home Secretary has to reply in his place. We know that the mining industry is suffering, particularly in Wales, because there are an insufficient number of inspectors of collieries, and we know well that whenever a catastrophe happens, then, and then only, are these matters taken notice of. The mine proprietors are quite able to take care of themselves, but it is the bounden duty of the State to see that life and limb are properly protected in the carrying on this great and important industry. I will not detain the House at any length on this matter, but I must say it does seem to those who are connected with the industry to be an extraordinary thing that in this House there is the right hon. Gentleman the Chancellor of the Exchequer looking after the interests of the Mining Department in one respect, and the right hon. Gentleman the Home Secretary looking after it in another respect. If any one refers to either of these Ministers he is usually sent first from one to the other, and finally to some Department where very little is known of the subject which is being administered. I am anxious, on the other hand, to concentrate all the business connected with the mining industry under one head, so that hon. Members may have some one to whom they can appeal, not only with respect to the condition of the industry itself, but as to the risk to life and limb which those engaged in it are continually incurring. We know that when an accident occurs at a colliery an inquiry is held. As the matter stands at present responsibility cannot rest upon the shoulders of the Home Secretary; but if there were a Minister of Mines in the House, we should be able to appeal to him, and he would be responsible not only to this House but to the country. The Home Secretary has other onerous and important duties to perform, irrespective of taking charge of the mining industry. The Chancellor of the Exchequer also has important duties to perform, and cannot devote his time to the matter. I bring forward this Motion in the hope that the Government will favourably consider it. It is no party question, but one which may have an important bearing upon the development of the mineral wealth of the country. If we had some one to whom we could appeal when we got into disputes, it would be greatly to the interest of the industry. We have a Commission now sitting to inquire into the question of mining royalties, which Commission is doing important work. Shortly it will present its report, but there will be no one on the Ministerial Bench in a position to speak for the Government on the question of mining royalties generally. I have no desire to thresh out the question now, but, having had this opportunity of dealing with it for a few moments, I trust the House will receive the Motion in the spirit in which I tender it—with a desire to do all that can be done to develop the mineral resources of the country.

(5.30.) MR. PICKARD (York, W.R. Normanton): I beg to second the Motion. It is well known that the Home Office is overburdened with work, such as that which is connected with a magistracy and other matters, and the consequence has been that it has not been able to pay that amount of attention to the interests of the great mining industry which that industry deserves and ought to receive. I do not intend to say anything against the manner in which the Home Secretary has discharged his functions in regard to the mining interests, because, as I have already said, I believe the Home Secretary has quite sufficient to do in regard to the other matters I have mentioned. We know from long experience that when accidents do occur in connection with mines, it takes the Home Office a long time to analyse the facts. The Home Secretary has to receive information from the various persons engaged in investigating the circumstances, including the Coroner, and the Inspectors of Mines, and this information he must necessarily have sufficient time to consider in order that he may be in a position to determine what course he ought to pursue. We also know that it often happens that in cases where prosecutions may have been expected there are no prosecutions at all. When we remember that there are now between 3,000 and 4,000 large mines in the country, with all the ramifications which make them so different from what mines were some years ago, it is only reasonable to suppose that it has become necessary that some one person shall be responsible and be at the head of some department which shall have these matters under its particular supervision, and have the means of understanding exactly the real position of affairs. When we remember that the Home Secretary has not only to receive all the Reports sent to him of Coroner's inquests, together with the results of investigations made by the Inspectors of Mines, but is also called upon to answer whatever questions may be put to him from time to time in this House, it must be clear to those who consider the subject that the person who has to deal with all these important matters should occupy some position in connection with the Government, which should be not only that of a Secretary of State, but should also be accompanied by a seat in the Cabinet. Considering this matter as I have done from time to time, I have come to the conclusion that the Home Secretary, as far as he is personally concerned, would be thankful to be relieved from that portion of his duties which relate to mines. I have no doubt that were he now in his place the Home Secretary would tell us that he would like to be relieved from this portion of the work he has to do, and that he would be glad if he could see his way to the adoption of a Resolution like this, which, if carried, I have no doubt will be productive of a great deal of good not only in relation to the saving of life, but also in regard to the development of the great mining industry. I have no desire further to protract this Debate, and, therefore, will at once conclude by seconding this Motion.

Motion made, and Question proposed,

"That, in the opinion of this House, it is desirable to create a Department to have the control and supervision of the Mining Industries of the Country, to be controlled by a Minister of the Crown, such Minister to be called the Secretary for Mines."—(*Mr. Pritchard Morgan.*)

Mr. Pickard

*(5.37.) THE UNDER SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. C. STUART WORTLEY, Hallam, Sheffield): There are here two principal questions to which I think the House ought to pay attention. The first is whether the mining industry is in such a position of pre-eminence and superior magnitude in comparison with all others that it is desirable it should have special administrative treatment; and the second is whether, assuming that it occupies such a pre-eminent position, it is desirable that the State should undertake the functions foreshadowed in the speech of the hon. Member for Merthyr Tydvil. I should be the last to dispute the great importance of the mining industry, both with regard to the magnitude of the wealth which it adds to our national resources and the greatness of the risks to the property invested in it, and, what is of even more importance, the risk to the lives of those who are engaged in its prosecution. These are matters which must in any case occupy a very large place in the view of Parliament. But when the hon. Member goes further and proposes that the mining industry should be treated exceptionally in comparison with other industries and should have a particular Minister to itself, he is making a proposal which proceeds on a fallacious view of the right functions of the Government in this country. It is quite true that there is already a very important connection between Parliament and the mining industry. The mining industry is one of the regulated industries of the country —regulated by minute rules laid down in Statutes to which Parliament has given much labour and attention, and by those regulations and restrictions important additions have been made, not only to the Criminal Law, but also to that part of the law which, though properly described as not criminal, yet involves penalties for its infraction. Now the enforcement of this law is a very important function, because it is one which concerns the safety of the lives of large numbers of miners no less than with the question of property. For the discharge of the functions connected with these matters there is already a Department fully equal to the task imposed upon it. But that is not all. The State is not merely

charged with the duty of laying down regulations in the interests of the miners with regard to life, but in another capacity it may be the owner of the soil under which the mine was driven, or, in virtue of its sovereignty, may be entitled to a reversionary right in regard to royalties and other dues. The uniting in one Minister of the functions arising from those different relations would be neither logical nor necessarily advantageous. But it is not alone in the case of mines in which various interests have to be dealt with that State regulation is required. Factories are, perhaps, even more minutely regulated than mines, but I do not suppose that the hon. Gentleman would say on that account that a special Minister should have charge of factories. To justify a Motion of this kind there must be reason for complaint with regard to such action as the State has undertaken. I will say, in the absence of the Home Secretary, that my right hon. Friend has been careful, both with respect to the enforcement of the existing law and to its improvement; and, not merely has he shown great interest and acuteness in devising improvements in the law, but it may be contended with justice that he is in advance of public opinion, and of the opinion of those who are specially skilled in this matter, and in support of that contention I may appeal to the fact that my right hon. Friend has announced his intention to institute a new inquiry as to the special properties of accumulations of coal dust in mines, with a view to diminishing the number of explosions. The hon. Gentlemen who have moved and seconded the Motion may think that certain delays have interfered with the enforcement of the law. The expiry of the three months limit for prosecutions has possibly caused defeats of justice. But that has been because the pendency of an inquest has rendered inevitable a delay in deciding. When inquests have to be resorted to, an elaborate review of the facts is necessary, and until that inquiry is concluded no Department could say that we are in a position to judge whether a prosecution is likely to succeed in the particular case. In a former Debate on the subject of the inspection of mines, my right hon. Friend admitted that the period of three months, which has to elapse before he is in a position to decide whether to prosecute, is too short. I venture to submit that the case of the hon. Member who says the Home Office Department which has charge of mining affairs is overworked, and is therefore incapable of properly dealing with these matters, has not been substantiated. The hon. Member who seconded the Motion complained that where accidents take place in mines there is no Minister who is responsible. I would ask the hon. Member does he seriously mean that any Minister should be put in a position involving administrative responsibility for the occurrence of all accidents in mines?

MR. PICKARD: I said there should be some one responsible for legislative action in this House, not administrative action.

*MR. STUART WORTLEY: So there is. We have at present a Minister who is responsible for most of the legislation introduced into this House, but it is clear that nobody but the House itself can be responsible for the legislation it sanctions. I submit that the speeches which have been delivered interpreting the Motion show that the duty which it is sought to impose upon the State is far in excess of the duties which the State should undertake.

(5.45.) MR. CONYBEARE (Cornwall, Camborne): Sir, I should like to say a few words before the subject is allowed to drop. The hon. Gentleman, in his concluding remarks, seemed to suggest that my hon. Friends were going beyond precedent in asking for the appointment of a Minister of Mines, and that there was no other industry in this country which claimed or received such special attention. I would remind the hon. Gentleman that we are simply following the precedent formed by the appointment of a Minister of Agriculture. If the industry of agriculture is deserving of such special recognition, the mining industry is entitled to even more recognition by reason of its importance to every other industry in the country. Hardly any industry, no matter what its character, can proceed without there has first been recourse to the bowels of the earth for various minerals, notably coal to generate motive power. I do not think it needs a single additional word to establish the mining industry. Then comes the question, does it need the control and support of a Minister of Mines. The hon. Gentleman who has replied for the Government has taken an exceedingly narrow point of view. He seems to be unable to carry his view further than the question of the regulation of mines for the prevention of accident. But collieries do not solely constitute the mining industry of this country. I am connected with tin mining in Cornwall; and while we are dependent on coal for the prosecution of tin mining, the latter industry is none the less one of great importance. In other districts of the country, various other minerals are extensively mined. While I recognise the first importance of protecting women and children from excessive hours and excessive labour, and the men from the dangers of their calling, still what we want to see besides is a development of our mines. We want a special Department of the Government for the purpose of looking after the mining industry, which has been, I will not say throttled, but hampered, through the control exercised by private individuals. In other countries there are mining Departments, and mining Ministers, and those countries are immensely benefited. We believe that a similar institution in this country would be attended with great and beneficial results to the mining industry. It would bring about a further development of mining enterprise, while at the same time providing for careful attention to the safety of those employed. We ask for the creation of a Government Department which will control the hampering influences of landlords, who are the absolute monopolists of our soil and all our mineral wealth, and for the purpose of giving our mines such fairplay as will tend to the enormous development of our mineral interests. In Cornwall mine after mine, which when in full operation employed 10,000 men, has been closed, until there are now only two at work. That condition of things is owing to the harsh and restrictive conditions imposed by the ground landlords, which make it impossible for outside capitalists to bring in their capital and develop the mining industry. There is any amount of mineral wealth in that part of the country undeveloped, and only awaiting proper appliances and inducements. The immunity from control enjoyed by the landlords, especially in regard to royalties, and the many restrictions which they can impose, have led to the deterioration of our mining industry, and we think that a Minister of Mines would be useful in checking these adverse influences and in relieving the mining industry from those harassing conditions which at present do anything but induce capital to come to its assistance. I think the idea of a Minister of Mines is a step in the right direction, but I should look upon it only as one step. I also attach importance to the suggestion of having Mining Courts, and I am hopeful that we shall see them some day, whether in conjunction with a Minister of Mines or not. It seems to me that the precedent of a Minister of Agriculture forms a strong argument in favour of the Government introducing a Bill for the appointment of a Minister of Mines. In our Colonies such a system exists, and it is attended with beneficial results. In all the great mining countries of the world, Mexico, South Africa, South America, and on the Continent, you will find that Government control is exercised for the purpose of giving fair play and free scope to mining enterprise. I should like to call attention to a passage in the Report of Dr. E. Foster, who succeeded Mr. Harrington Smyth at the School of Science. In his Report, published in the year 1887, on the mining industries of our Colonies, on page 23, he says:—

> "It is not generally known in England that the Government of Victoria, like that of some of the sister Colonies, spends several thousand pounds every year in prospecting with diamond drills, and in subsidising Companies or individuals using them. Cores from 1 inch to 3½ inches in diameter were shown by the Mines Department. They had been drawn up when prospecting for quartz reefs, for deep all vial 'leads' hidden under basaltic lava flows, or for coal seams in the mesozoic strata. Some of these boreholes have been the means of discovering gold. The Report of the Secretary for Mines on 'Diamond Drills in Victoria,' describes the work done up to the end of 1884, and explains many useful improvements upon the original drills imported from the United States."

I have here a communication from Dr. Foster, giving me details—with which I will not trouble the House—regarding experiments which have taken place during the last year or two. Now, if we had a mining bureau we could follow the example thus set by our Colonies, and stimulate to an enormous extent the development of our mining industry. It is well known that there are enormous districts in this country in which some mining operations have been carried out, but which contain latent resources only awaiting enterprise for development, and which should be fostered here, as they have been in our Colonies. Let me refer to the action which the hon. Member for Merthyr Tydvil (Mr. Pritchard Morgan) with great public spirit has taken up in the interest of the mining industry, and those who have spent their capital in developing the gold-mining industry of Wales, an action in which he unfortunately has not met with great success in the Law Courts. Questions affecting Crown rights are involved in this litigation. I am not going to question the legal decisions, all I will say is it is very hard that a private individual who has done his best to develope this gold mining industry should be mulcted in an enormous sum for the purpose of deciding these questions. The hon. Member for Merthyr made no personal allusions, but we who stand outside may point out that this offers a strong argument why we should have a Minister of Mines, for with such a Minister and his Department, great questions of public rights such as these would be taken up and settled in a scientific manner without discouraging persons who do their best to develop the resources of the country, putting them to enormous expense and anxiety in fighting these questions in the Law Courts. It should also be mentioned that the geological survey of the country is by no means in the condition it ought to be, and if we had such a Minister, a great stimulus would be given to that branch of science, to the improvement of the trade and industry of the country. In previous Sessions I have drawn attention to the magnificent series of geological maps provided by the Government of the United States of their territory, far superior to anything I have discovered in any museum or library in this country. We want these things attended to, as at present they are not. At the present time the Department of the Home Office is crowded with an enormous amount of detail with which the Home Secretary and his subordinates have to deal. I am not for a moment complaining of the Home Secretary or his Department. I can only say that it appears to me altogether impossible that any single human being can properly look after all the interests which are heaped upon the Home Secretary, and I think I may say that almost every other kind of business the Home Department has to do has priority of urgency of attention before the mining industry of the country, I mean in the particular direction I am alluding to. I am not referring to the mere question of the administration of Acts passed at different times for the protection of life in coal and other mines. I think it must be admitted we have made out a good case for the assistance we conceive might advantageously be extended to this important industry, and we have indicated instructive precedents. We have raised a question that must be solved one of these days, and if we do not get what we want from the present Government, then we shall from their successors.

(6.7) MR. RANDELL (Glamorgan, Gower): I simply wish to express my approval of the Motion for the creation of a separate Department of State and a Minister in touch with the important mining interests in the country. It is a justifiable step, and I might even say an imperative necessity. It would soon be justified by the great increase and rapid development of the mining industry throughout the country. The Motion should command the support of both Parties in the House. The Home Secretary has deservedly won the regard of the mining interest and those who represent it in this House; but however desirous he may be to promote mining questions, it is impossible for him to do so with much advantage so long as he has so many subjects demanding his attention.

*(6.9) MR. S. T. EVANS (Glamorgan, Mid): Inasmuch as I represent a constituency composed almost entirely of miners, it is right I should say a word in support of the Motion. The mineral wealth of this country is such that it should have a separate Department to look after this interest. An objection was raised by the hon. Gentleman who spoke for the Government that this would increase the cost of administration, but the wealth and importance of the industry is such that it might well bear the expenditure required for a Department to look after its interests. The mineral wealth of this country amounts to about £80,000,000 a year. The Home Secretary has multifarious duties to perform, and though I am bound to say there is considerable satisfaction with the readi-

ness with which the Home Secretary listens to our complaints or demands, yet there is some dissatisfaction on account of the delay in the attention given to mining matters at the Home Office. There is a subject I brought before the House on another occasion, but which is germane to the question now before us. If we had a Minister of Mines we should not have more delay in the appointment of sub-inspectors of mines, a delay which is fraught with danger to the lives of miners. I think there was a promise last Session that the Home Secretary would look into the matter, but we can quite believe that, occupied as the right hon. Gentleman is with many affairs, he has not been able to give the necessary attention to, and bring his mind to a conclusion on the matter. But I do not think that if we had a Minister of Mines there would be any more delay. It is an imperative necessity, and must take place before long, and for this reason, among many others, I support the Motion.

(6.10.) MR. WARMINGTON (Monmouth, W.): The recent appointment of a Minister of Agriculture strengthens, I think, our claim for the appointment of a Minister of Mining. The conditions of mining are much more hazardous than the conditions of agriculture, and the reasons are much more urgent for supervision and control. There is a general feeling among those engaged in the mining industry that the Home Secretary is too far removed from them and their interests, and all his information filters through inspectors. I do not say that this is justifiable, but I know I speak the view of miners that the Secretary for the Home Department is not sufficiently near them and sufficiently interested in their pursuits that they have confidence that their interests are properly safeguarded. Equally I think I speak the view of miners when I say that their wants and interests have never been more regarded by any Home Secretary than by the right hon. Gentleman who now fills that office. He has shown an amount of sympathy and intimacy with the wants and work of miners I very gladly recognise. Yet it must be admitted that the duties of the Home Secretary are too much dispersed over many interests to hope that the mining industry can receive that attention which is required.

*(6.12.) MR. BURT (Morpeth): I can testify to the fact that there is a very strong feeling among miners in favour of the appointment of a Minister of Mines. Again and again that feeling has found expression in Resolutions passed at conferences and in deputations to successive Home Secretaries. The belief which I think rests on a solid foundation is that the Home Secretary is so over-burdened with work that it is impossible for him to give the time necessary to many important matters connected with the mining industry. In saying this I find no fault with the manner in which the right hon. Gentleman the present Home Secretary has discharged those duties in connection with mining which are entrusted to him under various Acts. I must express my dissent from one remark that fell from my hon. Friend who introduced this Motion, that it would be an advantage to transfer the control of mines to the Minister of Agriculture. I do not think that would be any improvement, but quite the reverse. As regards the number of men employed, the risks attending the prosecution of the industry, the amount of capital invested, the influence upon other trades, the industry is of such transcendant importance that there ought to be a Minister to devote his time and attention almost exclusively to this one thing.

*(6.15.) COLONEL BLUNDELL (Lancashire, S.W., Ince): I am opposed to the multiplying of Ministers, but it would perhaps be convenient that the Permanent Under Secretary at the Home Office should be understood to be the official at the Home Office at the head of all matters affecting mining interests. But the Government would do well to wait for the Report of the now sitting Commission before making any change in present arrangements. It may be found desirable to establish Mining Courts to decide certain points, but a decision now would, I think, be premature. It would be well to wait until the Report of the Commission is in our hands.

(6.17.) MR. ABRAHAM (Glamorgan, Rhondda): I am very glad to hear a Gentleman from the front bench admitting the importance of the coal industry, though he did not allow that pre-eminence we claim for it. It is, perhaps, natural that practical colliers should think there is no industry in the country more important than coal mining. No other industry can claim to be so essential to the success of all other undertakings. At all events, we, more than other persons, feel the necessity of having in the House a Minister to whom we can appeal for immediate assistance in all matters affecting safety to life and limb in the working of mines. We know the importance to miners of having an authority of this kind. I gladly recognise the spirit in which our claims have at various times been met on either side of the House, for this is no Party question; it is a question vital to life and limb. The exhaustion of physical power and nervous energy is such a danger in mines that there ought to be certain limits laid down beyond which miners should not be permitted to go to the danger of the lives of themselves and of their fellow-workmen. There is danger in a man working an unlimited number of hours. If we had a Minister to whom we could directly apply, before whom we could bring evidence, to whom we could make representations, I say, with all respect to the gentlemen now in the Home Department, we feel that the wants and wishes of our many thousand workmen underground would receive the required attention, and the danger to life and limb would be minimised. The mining industry will owe a debt of gratitude to any Government which brings this result about.

(6.20.) MR. HENNIKER HEATON (Canterbury): I can testify to the good results which have attended the appointment of such a Minister in our Colonies. In the Australian Colonies there are Ministers of Mines, and there is every reason to believe that, if there were a corresponding Minister in this country, the existence of a separate department would have a beneficial influence on the development of mining industries. I therefore support the Motion of the hon. Member.

*(6.21.) THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): I wish to assure hon. Members opposite who are identified with mining industries that Her Majesty's Government will leave nothing undone that could in any way minimise danger to life and limb in the working of mines. We are fully alive to our responsibility in this respect, and if we hesitate to accept a Resolution in favour of the creation of a Minister of Mines, it is simply because we do not believe that at the present moment a case has been made out for the creation of a new Department to be represented by a responsible Minister. Much more evidence will have to be adduced to justify an addition being made to the large number of officials representing the Government in this and the other House of Parliament; and it is not absolutely certain that the addition of another Minister would secure all the advantages that hon. Members desire to obtain. Hon. Members will admit that there must be circumstances that weigh with the Government which cannot so well be appreciated by non-official Members. I say at once that if the creation of such a Minister would be the means of preventing a recurrence of mining accidents that shock the country, then by all means let such a Minister be appointed. But hon. Gentlemen know better than I do, that accidents occur from circumstances no precautions can control, from causes apparently beyond the control of man, and in fact unknown to those who suffer from them. My hon. Friend (Mr. Stuart Wortley) has stated that the Secretary of State is already taking steps with the view of securing a further examination of the causes of accidents in coal mines. The right hon. Gentleman has consulted me on the question, and I have assured the right hon. Gentleman that the Government will give him the fullest assistance in the investigation he has directed. If he is right in the course he has taken, and his assumption of the causes of some of the accidents we deplore, in the result he will confer a greater benefit on the country than any of the Home Secretaries of the past. He is engaged now in these investigations. It is a question whether a special Minister could do more than is being done at present for mines and miners; and if their special claim is conceded, it may be that other industries will then put in a similar claim. We have other regulated industries, including cotton factories, railways, and shipping; indeed, all factories are inspected; and the Acts affecting these interests are carried out under the superintendence of the Home Office or the Board of Trade, and recently a Minister of Agriculture has been created.

I by no means assert that our existing system is the best that could be devised; I should be the last to suggest that no improvement can be made in our administrative arrangements; but I deprecate the acceptance of an abstract Resolution upon the assumption that, as soon as a new Minister and Department is created at large expense, and a Department formed, there will necessarily result a great improvement in the conditions and circumstances of those engaged in the industry concerned. We shall give the most careful consideration to what has been urged in support of the Motion; but we cannot be expected to assent to a Resolution which would have the effect of transferring from the Home Office a large portion of its present work. We shall do our best to investigate and correct every deficiency which may be shown to exist in the present system, and to provide a full and complete responsibility in every Department of the Public Service; but we cannot admit that a case has been made out for an addition to the official element in Parliament.

(6.29.) MR. FENWICK (Northumberland, Wansbeck): There are strong grounds of justification for the Motion, and every argument used in support of the creation of a Minister of Agriculture applies with even greater force to the appointment of a Mining Department. We do not expect that the advantage to the mining industry would be at once apparent; but we do consider that with the appointment of a Minister charged with a direct and special responsibility there would be less delay in the prosecution of matters connected with the mining interest. I, like my colleagues who have spoken to-night, am not disposed to reproach the officials in the Home Department, because I believe they have given every evidence of a sincere desire to do all that it is possible for men to do to minimise the serious character of the fatalities that occur during mining operations. But I think it is possible for the Government, by appointing a Minister for Mines, to give more general satisfaction, and to secure even better results than they have already secured. The appointment of a Minister for Mines in other countries has given general satisfaction, and I think it would give equal satisfaction here. In point of importance it is difficult to find another industry to compare with the mining industry. There are between 3,000 and 4,000 coal and ironstone mines in the country, turning out 180,000,000 tons per annum. Between 600,000 and 700,000 persons are employed above and below ground. In these circumstances, it is, in my judgment, desirable we should have some person whose attention will be devoted exclusively to the appeals that are made, and must necessarily come before him, arising out of such an industry. The First Lord of the Treasury promises to give serious consideration to the subject. I hope the time is not far distant when we may have the pleasure of hearing him declare that the Government have come to the conclusion to meet our wishes in this matter.

(6.34.) MR. LABOUCHERE (Northampton): My hon. Friend is somewhat ingenuous if he is satisfied with the promise that Ministers will take this matter into consideration. When Ministers say that, they mean that they intend to do absolutely nothing, and I think my hon. Friend will find that will be the course pursued by Her Majesty's present Ministry. I was anxious to know how the First Lord of the Treasury would defend the appointment of a Minister for Agriculture and refuse to appoint a Minister for Mines. If the right hon. Gentleman had said there were already sufficient Ministers, and that every industry in the country might claim to have a separate Department, the contention would be a good one. But the Government have already appointed a Minister for Agriculture. Why? Because they are supported by gentlemen who say they represent the landed interest, and they could not refuse the request of their friends. But when gentlemen from Wales and other mining districts ask that a Minister for Mines should be appointed, they say, "We will seriously consider it." I am the last person in the world to urge increased expenditure. I think that we could do without many of our Ministers, and that in the open market we could get men for considerably less than we pay Ministers. But considering the importance of the coal industry, I think it is desirable we should have a Minister for Mines, and it seems to me we might appoint one and not incur any extra expense. We might do away with one or two of the wasteful sinecures that exist now, and devote a salary—a small but fitting salary—to a Minister for Mines. I am afraid, however, that will not be done. When a Minister for Agriculture was appointed, we were promised that that Minister and the Chancellor of the Duchy of Lancaster should be one and the same. But the Chancellor of the Duchy still enjoys his salary, and an absolutely new salary has been created for the Minister for Agriculture. I suggest that right hon. Gentlemen opposite should subscribe something from their own salaries, or should arrange matters in some way by which this useful reform may be effected without costing the country a farthing.

(6.39.) MR. D. THOMAS (Merthyr Tydvil): The First Lord of the Treasury has stated his belief that most of the accidents in mines are beyond human control. Probably they are; but it is, nevertheless, the fact that the number of fatal accidents diminish in proportion as mines are better managed. I went into the matter very closely some time ago, and I was enabled, by the kindness of colliery managers, to get Returns from about a dozen of what I regard as the best managed collieries in South Wales. On an average, each of these collieries employed between 700 and 800 men, and the number of fatal accidents in these mines, during a period of ten years, was proportionately somewhere about one-third of the number over the remainder of the coal-fields. It seems, therefore, that a very great deal of good can be effected by good management, and that points to the necessity for the appointment of a Minister for Mines. We have been reminded of the large number of persons employed in mines, and of the magnitude of the output. The coal industry is a great industry, great not only because it gives employment to 600,000 or 700,000 people, but because also it is the motive power of all other industries. The right hon. Gentleman has spoken of the cotton industry, and of the railway and shipping industries; but where would these industries be if it were not for the coal industry? We not only supply ourselves, but to a great extent we supply the world with coal. An hon. Member opposite has said that although he agrees with the Motion he considers it premature; premature because a Royal Commission on Mining Royalties is sitting at the present time. What bearing a Royal Commission on Mining Royalties has on the appointment of a Minister for Mines I cannot conceive.

(6.42.) MR. ARTHUR WILLIAMS (Glamorgan, S.): It is now four years since the Royal Commission on Mining, of which I had the honour to be Secretary, after having sat for nearly eight years, reported to Her Majesty. Though it was not within the scope of the Commissioners' duty to suggest a separate Mines Department, it was obvious that the Commission was impressed by the fact that the Secretary of State for the Home Department had the control and regulation of mines in his hands. I do not wish to reflect in the slightest degree upon the Home Department; but I think it proper to say that the Commission felt that the Department was not fit to cope with the enormous coal industry, and with the various accidents that constantly arise in connection with mining operations. I cannot help thinking that if we cannot have a separate Minister for Mines the time has come when we might fairly ask the Government to separate the mining business from the ordinary business of the Home Office. The Commission of which I have spoken reported—

> "The result of our laborious investigations has impressed upon us the need for the official establishment of some permanent arrangement by which the continuous pursuit of this important class of work would be secured, and by which also the merits of suggestions and inventions should be investigated promptly and thoroughly and authoritatively."

Whilst we are waiting for the appointment of a Minister for Mines, surely it is not unreasonable to ask that what was suggested four years ago by a very important Commission should be adopted by the Government. Let me give an illustration of the absolute inadequacy of the present state of things. Anyone who has taken the trouble to read the final Report of the Royal Commission on Mining will learn that coal dust has a great effect in producing explosions in mines. To my great surprise I find that during the last three or four weeks the Secretary of State has issued a Circular directing the attention of all those engaged in mining operations to the very important bearing coal dust has upon accidents. I trust that the Government will seriously consider whether they cannot, at all events as an instalment, detach the work relating to mining from the ordinary administration of the Home Office, and make it a separate branch of work altogether.

(6.47.) The House divided:—Ayes 88; Noes 118.—(Div. List, No. 18.)

ORDERS OF THE DAY.

DRAINAGE AND IMPROVEMENT OF LAND (IRELAND) BILL.—(No. 66.)

SECOND READING. ADJOURNED DEBATE.

Order read, for resuming Adjourned Debate on Question [4th December], "That the Bill be now read a second time."

Question again proposed.

Debate resumed.

(6.58.) **The ATTORNEY GENERAL for IRELAND** (Mr. Madden, Dublin University): This Bill was moved last Session, and my right hon. Friend the Chief Secretary said he had no objection to the Second Reading. I do not oppose it on the present occasion, but I hope the Committee stage will not be taken for some time, in order that the Government may consider whether any, and if so, what, Amendments are necessary.

Dr. TANNER (Cork Co., Mid): I wish to meet the wishes of the right hon. and learned Gentleman, and will put the Bill down for a day that will suit everybody.

Mr. SEXTON (Belfast, W.): I suggest it should be put down for Monday, and then the most convenient day fixed for the Committee stage.

Question put, and agreed to.

Bill read a second time, and committed for Monday next.

TEACHERS' REGISTRATION AND ORGANISATION BILL.—(No. 156.)

SECOND READING. ADJOURNED DEBATE.

Order read for resuming Adjourned Debate on Question [26th January], "That the Bill be now read a second time."

Question again proposed.

Debate resumed.

*(7.2.) **Sir R. TEMPLE** (Worcester, Evesham): In moving that this Bill be read a second time, I would explain that there is another Bill for a similar purpose, for an almost identical purpose, introduced by the hon. Member for Rotherham (Mr. A. H. Dyke Acland), and it is our joint desire, if the House gives this Bill a Second Reading, that the two Bills should be referred to one Select Committee.

*(7.3.) **Mr. F. S. POWELL** (Wigan): I am glad to find that the Government support the Second Reading of the Bill with the intention of associating it with another Bill in reference to a Select Committee. I have before me a copy of a Bill which was read a second time in 1869, part of which became law under the name of the Endowed Schools Act, but the second part of which, dealing with the organisation of school teachers was withdrawn, not because the late Mr. Forster had any doubt as to the policy, but from mere lack of time and the difficulty of carrying a complicated measure through Parliament. When I compare the Bill of 1869 with this Bill introduced by my hon. Friend, I cannot but observe the present Bill contains many deficiencies. In the first place, the Bill of my hon. Friend appears to go much further than did Mr. Forster's proposal. Mr. Forster confined his registration to teachers of endowed schools; but, as I understand my hon. Friend's proposal, he extends his registration and the compulsory part of his Bill to schools which are not included in the category of endowed schools. I regret this extension, and think it is unfair to teachers in private schools. When the Bill is examined in Committee, I feel confident that this defect will be recognised. I fear also that sufficient provision is not made for the working of the scheme. The only financial arrangements are that certain fees are to be paid; but under the Bill of Mr. Forster, while there was the same arrangement in regard to fees, there were also fees levied in endowed schools which were not free, but where they were not free a grant was provided from the Consolidated Fund. I am afraid that it will be found this Bill contains but a mere sketch outline of finance, and that unless this is materially strengthened the machinery will not work for lack of that most essential motive power—funds.

Question put, and agreed to.

Bill read a second time, and committed to a Select Committee.

SCHOOL BOARD FOR LONDON (SUPERANNUATION) BILL.—(No. 49).

SECOND READING. ADJOURNED DEBATE.

Order read, for resuming Adjourned Debate on Question [26th January], "That the Bill be now read a second time."

Question again proposed.

Debate resumed.

*(7.8.) SIR R. TEMPLE (Worcester, Evesham) : It is the intention that this Bill also should be referred to a Select Committee if the House shall be pleased to read it a second time. According to the intention of the promoters, the Bill is so framed that by deductions from the salaries of teachers a fund shall be created which will insure the rates being free from any possibility of burden. That is a point as to which doubts have been raised in some quarters, but those doubts can best be disposed of by a Select Committee. I hope my hon. Friend behind me (Mr. F. S. Powell) will for the moment waive his objection and allow the Second Reading to be taken in order that a Select Committee may investigate the particular point he objects to. The sincere desire of the promoters is to ensure the rates against any real liability and any possibility of appreciable burden hereafter.

*(7.9.) MR. F. S. POWELL (Wigan): I have opposed the Bill through two Sessions, because I fear it will do great injustice to voluntary school teachers. The voluntary schools have a severe burden to bear, and are engaged in sharp competition, and any proceeding of the Legislature which enables School Board teachers to form within themselves a powerful body with a superannuation fund will almost inevitably be prejudicial to the interests of teachers in voluntary schools. My experience of pension schemes, too, warns me of their dangers. I have known cases where the finance of such schemes has proved unsound, and resort has had to be made to the rates in support of the weakness of the original scheme. I am afraid the same thing may occur now, and I am glad to know that the attention of the Select Committee will be directed to this point. Let me draw the attention of my hon. Friend to the last clause in the Bill, which does not seem consistent with what he said just now. This clause provides that the expenses of administration are to be paid out of the School Fund. Now the School Fund comes from the rates; therefore, notwithstanding the honest desire of my hon. Friend to keep the rates clear from any burden arising out of this Bill, there is this clause directly imposing a charge on the rates. However, I will not carry my objections to the length of obstruction, and shall not oppose the reference of the Bill to a Select Committee.

Question put, and agreed to.

Bill read a second time, and committed to a Select Committee.

RAILWAYS COMPANIES RETURN TICKETS BILL.—(No. 81.)

SECOND READING.

Order for Second Reading read.

(7.14.) DR. CLARK (Caithness): In moving the Second Reading of this Bill, let me explain that its object is to give power to the Board of Trade to control unreasonable conditions made by Railway Companies in respect of the issue of passenger tickets, more particularly the condition by which the return halves of tickets are declared not available unless used within a certain limited time. As there seems to be a feeling in favour of Select Committees, I may say that if the Bill is read a second time I have no objection to it being referred to such a Committee. Really, I think we need to do something to cure the evils that arise from a railway monopoly, where there is not the freedom and cheapness that competition brings, by giving more power to the Board of Trade. It is, for instance, a constant experience that we take a return railway ticket, and from accident, from missing a connecting train, or change in our plans, we are unable to make use of the return half of our ticket under the conditions laid down by the company. But seeing that we have paid for the double journey it would be only fair that a passenger should use the return half upon payment of the difference between the return ticket fare and the two single journey fares. In this way Railway Companies would not so often obtain payment for work they do not carry out, while the passenger would lose the advantage of the reduced rate when not fulfilling the conditions on which it was charged. Where there is competition between Railway Companies or between railways and steamboats, there is not much difficulty in the terms the Railway Companies offer. Thus, between Glasgow and Edinburgh, a distance of about 50 miles, the third-class fare is 2s. 6d., or 4s. return, owing to the competition between the Caledonian and the North British Companies. But where there is no such competition then a company may exact all kinds of onerous conditions as to breaking journeys and time of return.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Dr. Clark.*)

(7.16.) **Dr. TANNER** (Cork Co., Mid): The more we examine the Bill the more we are convinced of the benefit it will be to the middle classes and those whose occupations require much travelling. I appeal to any hon. Member, has he not again and again, through mischance, found himself unable to use a ticket because he has been unable to use it within a certain time. I hope this Bill will receive the same consideration as has already been extended to several Bills, and may be submitted to the investigation of a Select Committee.

*(7.18.) **The PRESIDENT of the BOARD of TRADE** (Sir M. Hicks Beach, Bristol, W.): This, no doubt, is a Bill which will appeal to the feelings of all hon. Members. There is probably not a Member in the House who has not at some time or other lost the benefit of the return half of his ticket. However that may be, and whatever may be the possibilities, and I think they are considerable, of a wise and useful extension of the return ticket system by the Railway Companies, I do not think the House ought to assent to the Second Reading of this Bill. It is based on this remarkable proposition: that whereas Railway Companies are not bound to issue return tickets at all, all return tickets issued in future shall be available as long as passengers choose. The companies have the obvious remedy in their own hands by refusing to issue return tickets. Let me point out that the effect of the Bill would probably be to interfere with that which is a very considerable advantage to no small portion of the inhabitants of the Metropolis—the cheap Saturday to Monday return tickets. These are issued at much lower rates than the companies' ordinarily charge, in order to encourage this particular traffic. I cannot accept the Motion for the Second Reading of the Bill.

(7.20.) The House divided:—Ayes 39; Noes 106.—(Div. List, No. 19.)

MERCHANT SHIPPING ACT AMENDMENT BILL.—(No. 102.)

SECOND READING.

Order for Second Reading read.

(7.30.) **Mr. G. HOWELL** (Bethnal Green, N.E.): I ask permission of the House to make an explanation with regard to this Bill. Mr. Plimsoll is in Canada making inquiries on the subject with which it deals, and the Government are also making inquiry. I shall give some notice when I wish really to take the Second Reading, and I shall not do so without the consent of the President of the Board of Trade.

*(7.31.) **The PRESIDENT of the BOARD of TRADE** (Sir M. Hicks Beach, Bristol, W.): I quite appreciate the action of the hon. Member, and think he is quite right in the course he is following. I think it is only fair that we should not proceed further with this Bill until we hear the views of the Dominion Government.

Second Reading deferred till To-morrow.

MOTION.

POLICE (METROPOLIS) BILL.

On Motion of Mr. James Rowlands, Bill for placing the Police of the Metropolis under the control of the Ratepayers, ordered to be brought in by Mr. James Rowlands, Mr. Cremer, Mr. Beaufoy, Mr. Howell, Mr. Pickersgill, Mr. James Stuart, Mr. Causton, and Mr. Lawson.

Bill presented, and read first time. [Bill 173.]

"R. *v.* CURRAN AND OTHERS."

Return presented,—relative thereto [Address 27th January; Mr. Stuart Wortley]; to lie upon the Table, and to be printed. [No. 59.]

House adjourned at half after Seven o'clock.

HOUSE OF COMMONS,

Wednesday, 28th January, 1891.

"KIRK *V.* CONNOR."

Ordered—

Address for Revised Report from the *Newcastle Daily Chronicle*, of the 22nd day of November, 1890, of the Judgment delivered on the 21st day of November, 1890, by His Honour Judge Seymour, Q.C., Recorder of Newcastle, upon an appeal against the conviction of Connor, under section seven of "The Conspiracy and Protection of Property Act, 1875."—(*Mr. Fenwick.*)

ORDER OF THE DAY.

ROADS AND STREETS IN POLICE BURGHS (SCOTLAND) BILL.—(No. 12.)

SECOND READING.

Order for Second Reading read.

*(12.35.) MR. H. ELLIOT (Ayrshire, N.): Although this Bill simply proposes to give powers to Police burghs in Scotland, under certain conditions, to control their own roads and streets, which at the present time are to some extent exercised by County Councils, I admit that it is a matter that is rather technical and dry. But dry as the subject may be, it is one that has the deepest interest for a large majority of the people of Scotland. The proposed application of the Bill embraces a population of over 300,000, or about one-twelfth of the whole population of Scotland. Perhaps, at the outset, I had better explain what the Police burghs are concerning which I propose to legislate, and how it is that they differ from Royal burghs and Parliamentary burghs and require to come to Parliament for special legislation. The Royal burghs existed prior to the Act of Union; the Parliamentary burghs were created by the Reform Acts of William IV. and Victoria; and the Police burghs are towns of a certain size which have adopted the Police Act of 1862. But the Scotch Law draws a distinction between these various classes of burghs. Royal burghs and Parliamentary burghs have an administration in reference to roads and streets of their own, but that is not the case in regard to Police burghs. In my opinion, and in that of most of the Scotch people, there is no ground for any such distinction. One of the grievances of the Police burghs is that they are not treated in Municipal matters in an equal manner with the Royal burghs. This Bill is a Bill practically to amend the Roads and Bridges (Scotland) Act of 1878. The House will remember that the Roads and Bridges Act created an entirely new road law for Scotland. That Act has been a very beneficial one, but, in my opinion, it had one defect: it stereotyped to a certain extent the distinction which exists between the Royal and Parliamentary burghs and the Police burghs. By that Act the Royal and Parliamentary burghs have each a separate Road Authority, and they have no liability to maintain the county roads in the neighbourhood. But when the Act came to deal with Police burghs the authors of it seemed to recognise the impossibility of entirely distinguishing between the Royal and Parliamentary burghs and the large Police burghs. It therefore provides that any Police burgh which has a population of 5,000 or upwards at the time of the adoption of the Road Act by the county in which it is situated, may, if it makes the claim within three months, have a separate Road Authority. It in fact classifies these Police burghs with Royal and Parliamentary burghs. This provision has led to probably unforeseen, and certainly to very illogical, results. The Road Act has been adopted by many counties a good many years ago. Since that time a great change has happened. Some Police burghs, which were then over 5,000, have perhaps hardly increased at all, while those burghs which were then under 5,000 are now far over 5,000, so that it is quite possible at the present moment for two Police burghs to be existing side by side—the smaller having the privileges of a city, the larger being treated like a country village. This is an anomaly which probably no one will defend. The Burgh Police and Health (Scotland) Bill proposed to remedy it. One of the first objects of my Bill is to place these thriving young burghs on some equality with older burghs of the same size and of the same class. I now turn to those burghs which were under

5,000 at the time of the adoption of the Road Act by the county in which they are situated, and to the burghs which have become Police burghs since that time. The position of these burghs is unfavourable, compared to that of the Royal and Parliamentary burghs, and is unsatisfactory as regards each other. Police burghs which were under 5,000 at the time of the adoption of the Act are part of the road district of the county in which they are situated, and are rated on their gross rental. The whole amount thus raised is spent upon the highways in the district, including, of course, the portion of any highway which passes through a burgh, but not a penny of this money is spent upon the streets of the burgh, nor can the burgh have its streets placed on the list of county highways. It will, therefore, easily be seen from this that where a burgh is large and rich, and only a small portion of highway passes through it, a very large sum of money is raised, nearly the whole of which is made a present of to the county. I will give an illustration. The Lord Advocate is already acquainted with it, but I may as well present it to the House. The Police burgh of Carnoustie is situated in the County of Forfar. On an average of the last five years the Road Authorities of the County of Forfar have levied an annual assessment of £477 on the burgh of Carnoustie, and the whole of this sum, with the exception of about £45, has been spent on the county roads outside the burgh. The case of Ardrossan is almost as strong. It pays, roughly speaking, about £562 a year to the County Road Authorities of Ayrshire, of which sum only about £106 is applied to the upkeep of the roads within the burgh. I am not arguing now as to whether it is right or wrong that a Police burgh should pay some contribution towards the maintenance of the county roads; but what I do say is that a charge of this kind is excessive. We see, too, from these illustrations how unequal is the incidence of the present law. Had Carnoustie and Ardrossan had, happily for themselves, a few years ago a few hundreds more inhabitants a-piece, they would have been called upon to pay nothing to the county roads; had they become Police burghs a year or two later, they might, as I am about to show, have had their streets put on the list of county highways. Now, lastly, Sir, there is the case of the burghs which have become Police burghs since the adoption of the Road Act by the county in which they are situated. These burghs are also part of the county road district in which they are situated, and are rated on their gross rental. They are, however, in a more fortunate position than the burghs I have just been alluding to. It is competent for them if their streets are properly made to have them placed on the county list of highways. Thus, though they are assessed by the county in precisely the same way as the other burghs under 5,000, the money when raised is more equally distributed. Sir, we object to all these legislative inequalities—this fanciful distinction between burgh and Police burgh, Police burgh and Police burgh. We consider them unjust, inconvenient, and unsatisfactory. The Bill in my hand proposes as much as possible to get rid of them all. It proposes to get rid of the divided control of streets in burghs, which has been found inconvenient, and of the population limit, which has failed. We hope in altering the law to proceed upon a principle which the House will consider sound. We accept as a general principle that all burghs, great and small, should be allowed to manage their own affairs. We consider that especially in the matter of roads should this principle be applied. A system of road administration which may be good in the country may be bad in a town. The highway in a burgh is frequently the chief street of the burgh. It is often the place where much business is transacted. It even, to some extent, gives character to the burgh. It is wrong to treat the portion of highway which passes through the burgh in the same manner as that which passes through the country. Take, for example, the simple question of mud. Mud after rain may be allowed to accumulate on a country road without doing much harm, while mud collecting on a road in the town will produce not only inconvenience, but possibly consequences injurious to health. Then, Sir, there is another point. Highways, like streets, are always the tracks for sewers and pipes. There are connections from these pipes to the houses.

It occasionally happens that these connections have to be examined, and it is often necessary that the examination should take place at once. The Road Act, however, provides that the highway is not to be broken without the consent of the Road Surveyor; and perhaps the Road Surveyor is at the other end of the county. It may be said that the burghs might do something for themselves. That they might supplement the money they receive from the county by a contribution of their own. They might pave their streets, for instance, and otherwise improve them. But even this is impossible. The Police Commissioners are not entitled to assess for the maintenance of a highway. They must take the highway as they receive it from the County Road Authorities. There are other inconveniences arising from the divided control of the streets, such as the erection and removal of hoardings, encroachments on the building line, &c., which I need not perhaps go into. The Bill proposes to remove them in the following way:—It provides that the burghs may, if they choose, have transferred to them the powers over their roads at present vested in the County Councils. The terms and conditions of this transfer are to be agreed upon between the Commissioners of a Police burgh and the County Council, with a reference in cases of dispute to the Sheriff. This right of absolute control is one to which the Police burghs attach great importance. Finally, Sir, comes the question of the liability of Police burghs to contribute to county roads. As I have already explained, Royal burghs, Parliamentary burghs, and certain Police burghs of a population over 5,000 are subject to no such liability. There seems, therefore, to me to be no reason in equity why Police burghs should not be placed in the same favourable situation. The Police burghs, however, are very anxious to meet the counties in a conciliatory spirit, and are prepared not to press their claim, though they reserve their right to do so at a future time if this compromise is not effected. They are prepared to make some contribution towards the roads in the vicinity of the burgh; but they insist that there shall be some proportion observed between what they give and what they receive; that there shall, in fact, be some give and take in the matter. The argument of the counties is that the people of a burgh use the country roads, and should, therefore, pay for them. As a matter of fact, I believe that the approaches to a town are far more used by the country people than the town people. The town is their market, their railway station, and their post office. I believe in these days of railways that the county district depend far more on the towns than the towns do on the country districts. But let this pass. There is another argument which cannot be so easily dismissed. If the burghs use the roads of the county, the county uses the streets of the burgh. We may frequently see heavy carts passing to and fro between the railway station in a burgh and farm houses or small villages in the country, or passing over the streets from the store where they have gone to purchase materials, or traversing the street of a burgh which connects two highways. For the use of these streets the counties pay nothing. There must, however, be some reciprocity in these matters. If the burghs are to pay for the roads of the county, the county ought to pay for the streets of the burgh. One of the objects of this Bill is to fix the equitable contribution, which the burghs should pay to the counties. This contribution, it is expressly provided, is to be among the conditions to be arranged between the Commissioners of Police burghs and the County Councils, with a reference, in case of dispute, to the Sheriff. In conclusion, Sir, I hope that the House will admit that the Police burghs complain of a real grievance, and that they seek a remedy in a temperate and moderate spirit. The grievance has, I believe, been acknowledged by, at least, one county. One county I know entered into an agreement with the single Police burgh within its boundaries — an agreement which worked admirably, till it terminated, in consequence, I understand, of a legal opinion which decided that it was unlawful. Under these circumstances the Police burghs, in seeking for justice, have no option but of coming to Parliament; and counties if they desire to do justice, as in the case

I have mentioned, must appeal to the same high authority. Sir, I do not wish to anticipate objections to this Bill, but I have heard it suggested that the counties have not had sufficient notice. I say, Sir, that they have had several years' notice of this legislation. They have had the notice of the Burgh, Police, and Health Bill of 1888. They had the notice of my Bill of last year. They have had the notice of a deputation which waited on the Lord Advocate in Edinburgh in October last; and they have had the notice of this Bill which was circulated a fortnight ago—a time amply sufficient for the County Councils, or, at all events, their Law Committees, to have met and given their opinion. I do hope, Sir, that the extreme good fortune of the Police burghs in securing so early a day for the Second Reading of their Bill will not be used as an argument for refusing to pass it.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. H. Elliot.*)

(12.50.) MR. ASHER (Elgin, &c.): I rise for the purpose of seconding the Motion of my hon. Friend. I congratulate him on having been successful in bringing it forward at so early a period of the Session. I agree with him that the matter is of a somewhat technical and dry nature; but I can confidently add my testimony to his as to the great interest which is taken in the subject among a large number of the Police burghs which are affected by the measure. The present system in the Police burghs of Scotland in regard to their roads seems to me to be altogether indefensible. It is full of anomalies, which can only be characterised as ridiculous. In many cases it is attended with such inconvenience and injustice as to make it quite unreasonable to require the Police burghs to submit to it in silence. It violates the very first principles of local government. I presume we are all agreed that there is no matter which falls within the category of local administration more completely than the management of roads. That principle received distinct recognition in the Roads and Bridges Act in regard to Royal and Parliamentary burghs. That Act fully recognised that the roads in the country and the roads in the towns require a distinct and separate administration—that the interests connected with each are quite distinct, and ought to be maintained in a totally different manner. Accordingly, while the county roads were placed under the County Road Trustees, the roads in the Royal and Parliamentary burghs were placed in the hands of Local Authorities, to be paid for out of the rates levied within the burghs. But that principle was entirely left out of view when the small Police burghs came to be considered, and burghs with a population of less than 5,000 are treated simply as if they form part of the county. The consequence is that at the present moment something like 88 Police burghs, many of them with a population exceeding 5,000, are in regard to roads under the administration of the County Councils. In many of these burghs the Local Authority has absolutely nothing to do with the maintenance and administration of the roads. The roads in these burghs are divisible into two classes. There are the roads which are known in the language of the Roads and Bridges Act as highways, and the streets within the burgh which are not highways. A highway under the Roads and Bridges Act means a turnpike road or a statute labour road, which is to say that the streets within a burgh are not highways within the meaning of the Act. The consequence is that a street running through a town is maintained by the County Council out of the county rates; whereas the streets of the same town which are not highways are not under the administration of the County Council, but under the administration of the Local Authorities of the burgh, and maintained by that Local Authority. The County Council makes no contribution whatever towards the maintenance of such streets, and yet the burgh is assessed to the full value of the property within it for the maintenance of the county roads. I might give, as an instance, the case of a town through which a main road runs. In the same town are no fewer than 22 streets which the Local Authority has to manage and maintain, and yet the chief road is managed by the

County Authority, and the burgh is assessed to the county rate for road purposes. There are other anomalies which one is tempted to dwell upon. A burgh which was a Police burgh prior to the adoption of the Road Act cannot get side streets or new streets leading out of a main road repaired by the county, yet similar roads in those burghs which have been made Police burghs since the passing of the Road Act are eligible to be placed on the list of highways repairable out of the county rate. If within three months of the time of the passing of the Roads and Bridges Act a Police burgh had a population of 5,000, it was allowed to take over the management of its own roads; but if its population only happened to reach 5,000 four months after the passing of the Act, then it was not allowed to have its roads and bridges under its own management. Again, burghs which maintain the greater number of their own roads are assessed to the full amount of their property in aid of the county rates. These are some of the anomalies which exist under the present system. No doubt it may be said that an Act of Parliament might be passed which would, to a large extent, remove the anomalies, place all the burghs on the same plan, and yet recognise the existing limits of population. But it appears to me the more expedient method of dealing with this difficulty is contained in the Bill, which in itself would sweep the anomalies away altogether, by giving every Police burgh, whatever its population, the power of saying whether it will undertake the absolute control of its own roads, and along with it the responsibility of maintaining the roads at its own expense. Many reasons might be adduced in favour of that proposal. In the first place, it would assimilate the management of roads in Police burghs with that in Royal and Parliamentary burghs. My hon. Friend has referred to the small number of Royal burghs. I do not think he intended to do so in any depreciative sense; but the argument might have been used that the policy of allowing Royal and Parliamentary burghs, however small, to manage their own roads had proved so successful that it might well be extended to Police burghs. There is another reason for this Bill which I think is almost unanswerable. When a burgh is constituted under the Police Act and has its Police Commissioners, surely those Commissioners are the proper authority for the administration of the roads within the burgh limits. It is perfectly true they are Police Commissioners, and not a Town Council; but the duties which fall upon them are really identical with those which fall upon the Magistrates in Council in Royal and Parliamentary burghs. They have, at the present time, the management of such streets as are not main roads within their respective burghs. They have a staff of officials for the purpose of attending to those streets; and why in the world should they not have the power of managing the principal street of their burghs, just as well as of the side streets which adjoin and run out of it? Again, under the surface of this principal street run sewers and gas and water pipes, which are under the control of the Local Commissioners. These pipes require constant attention from a Resident Authority; if a pipe bursts the sooner it is repaired the better; and is it reasonable that authority to break up the road in order to make the repair should have to be obtained from a county surveyor who may be many miles away, and with whom it may take days to communicate? Of course, it is sometimes impossible to await such authority, so the local tradesman breaks the road up, its condition is seriously impaired, and the Road Trustees refuse to put it right again, because of what they term a high-handed act on the part of the local tradesman. Therefore, it does appear to me that the appropriate authority to take charge of the management of the main road in a burgh is that authority which already controls the other streets in it. Again, there is no doubt that the principal street of a burgh requires totally different management from that which is suitable to and adopted in the case of country roads. Of course, the traffic on a main road in a burgh is much greater than that on a country road; the people resident upon it are much more interested in its being in proper order, yet the County Authority treat it simply as a part of the old turnpike road. I do not blame them for that; I do not think they could be expected to do more than they do at the expense of the county rate; and yet as the law now stands, however anxious the Burgh Local Authority may be to supplement the expenditure of the county on the road, it cannot do so out of the burgh rates. Thus you have this position: On the one hand, the County Council cannot fairly be expected to spend the money necessary to keep the street in thorough and proper order, and the Police Commissioners, on the other hand, are not able to supplement the expenditure at the expense of the people resident within the burgh. Therefore, the appropriate course to pursue under these circumstances is to give the Local Authorities complete administration of the roads within their own boundaries, they to be at the expense of maintaining them in the future. It may be said that the County Councils have not had time to consider this matter; but I agree with my hon. Friend that they have had ample notice, and it seems to me that they have up to the present done nothing by way of indicating serious hostility to these proposals. But any apprehension on their part of risk of prejudice in consequence of the Bill is, I submit, fully met by a liberal provision that any question which may arise between County Councils and burghs as to the terms on which the roads are to be taken over must either be adjusted by consent between the parties or settled by reference to the Sheriff. That, I think, is a most moderate and fair provision, and it is, indeed, difficult to see how the interests of the County Council can in any way be prejudiced by the passing of the Bill in its present form. I congratulate my hon. Friend on getting this Bill on at such an early stage of the Session. I sincerely hope that it may pass the Second Reading to-day, and that the right hon. and learned Gentleman the Lord Advocate will not oppose that being done. Of course, we are all aware of the conciliatory manner in which he met the deputation in regard to this matter. If the Bill passes this Session it will remove a serious blot on the existing system of administration in a large number of flourishing communities in Scotland, and it will be a reform of a most practical and highly satisfactory character.

(1.13.) SIR A. ORR EWING (Dumbarton): I do not think the County Councils are hostile to this proposal; the only difficulty in the past has been that the burghs objected to an extension of their boundaries. Every one knows that the burghs (by reason of their population being greater) use the roads more than the county, and therefore, in fairness to the ratepayers, they ought to undertake the burden of maintaining roads some distance beyond their present limits. I hope that the Lord Advocate will see his way to agree to the Motion for the Second Reading of the Bill, which, I think, is a very safe one, for it leaves the parties to make between themselves the best arrangement they can. I hope the Bill will pass this Session.

(1.15.) MR. D. CRAWFORD (Lanark, N.E.): I think it will be found there is a general consensus of opinion among Members from Scotland as to the necessity for some legislation upon this subject. That has been, I think, long universally admitted, but the proposal of my hon. Friend is an entirely novel one, and comes upon the Scottish county representatives somewhat by surprise. I do venture, therefore, to urge upon the Government, and upon the Lord Advocate, that before they give unqualified assent to the Bill they should see that some greater consideration than it now contains is given to the interests of the counties in this matter. I cannot quite agree with my hon. Friend the Member for Ayrshire that the counties have had sufficient notice of this Bill. My hon. Friend not very long ago had before the House a Bill in which certain limits of population were proposed—I think the limit was as low as 2,000—but this is the very first time it has been proposed unconditionally and without any reference to the extent of population, to confer upon Police burghs the management of their own roads. I have been in communication with the Lanark County Clerk upon this matter. He was quite unaware that this proposal was being made, and not having time to get copies of the Bill from London, he had the copy I forwarded him reprinted and circulated, and he convened a special meeting of the County Council to consider it. Unfortunately, that meeting is only being held to-day. Now, the grounds for advocating an amendment of the law have always hitherto had reference to a limit of population. Let me say in a word or two what I think are the principles on which this question will have ultimately to be decided. There are obviously two considerations of an opposite character, and yet to each of them the Bill will have to give due weight. The consideration on the one side has been most ably presented to the House by the Mover and Seconder of the Bill. No doubt there is a great deal to be said in favour of a Police burgh having the management of all the roads within its boundaries, seeing that the Commissioners of the burghs have already vested in them paving, cleaning, and lighting powers. But the other consideration to be borne in mind is the pecuniary interest of the counties. I would point out to the House that, under the Act of Parliament regulating these matters in Scotland, centres of population of very moderate size have the power of erecting themselves into towns. The limit of population is, I believe, 700. That is a low limit, but certainly the power has not been abused in the county which I represent, for many towns and large villages, with populations far exceeding the limit, have not availed themselves of it. But there are many other districts where the population is more widely distributed, and I wish to point out that because two or three people are gathered together, so to speak, it would not be fair to take that district away from the rateable area of the county. No doubt where the population chiefly exists in villages, the inhabitants there are the main users of the county roads, and they ought consequently to pay a fair share of the cost of maintaining them. This is a consideration the House should not lose sight of, and consequently I hope the County Councils will have an opportunity of expressing their views on it. It is said that this Bill provides for an arrangement being made by the Sheriff under which any pecuniary claim may be satisfied. But, surely, some principles should be laid down on which the Sheriff should proceed, otherwise it would not be safe for the counties. I am not at all opposed to some legislation on this subject; but I do not think the Bill would remedy all the anomalies which have been pointed out. I trust the Lord Advocate will give such assurances as will enable County Councils to have confidence not only that their interests are attended to, but that they will also have the opportunity of making representations themselves before anything final is done.

(1.25.) MR. BARCLAY (Forfarshire): I do not know that I can add very much to the fair and exhaustive statements of the Mover and Seconder of the Bill. But, as representing a locality in which this question has created considerable interest, I wish to impress on the House that the existing arrangement is a fruitful source of conflict and dispute between County Councils and Police Commissioners, and for that reason, as well as on account of pecuniary considerations, it is desirable that the matter should be settled in a way that will obviate the necessity of coming to Parliament for further legislation. No doubt it is well for a Local Authority to have absolute control of all matters within the burgh boundaries, and this principle should be carried out wherever it is possible without causing serious inconvenience. But, on the other hand, as the hon. Member who preceded me has pointed out, there is something to be said as to the size of the burghs. I do not suppose that any of the very small burghs would care to take the management of the roads into their own hands; but this question of limit of population is one which the County Councils certainly should consider. No doubt the Roads and Bridges Act settled questions between burghs and counties on a basis satisfactory at the time; but its provisions unfortunately contained no elasticity, and since it was passed new burghs have been incorporated and old ones have largely developed, and it has become necessary that Parliament should again consider the question, and lay down some principle, the elasticity of which will render further Parliamentary interference unnecessary. The Police Committee of the county which I have the honour to represent have considered this Bill, and recognise the equity of its proposals in the main, the only objection they have being one which can be dealt with in Committee. I appeal to the Government to give a Second Reading to the Bill, with a view to getting rid of a serious source of conflict between counties and burghs—a source which, unless something is done, will continue to be a festering sore. I hope the Bill will go into Committee in sufficient time to ensure a full and fair consideration of all questions involved.

*(1.31.) MR. MARK STEWART (Kirkcudbright): I desire to say a few words as to this Bill, the importance of which I fully admit. The hon. Member for North-East Lanarkshire has fairly narrated certain reasons why we should proceed with great deliberation in this matter. Although to the outside world it may appear we are debating but a simple principle and a very small Bill, yet a very large principle is involved, and I am not at all satisfied that it is proposed to deal with it in the most acceptable way. No doubt it is very desirable to have greater uniformity in the system of road management in burghs and counties; it would be well to avoid in the future those heartburnings which have been so rife in the past. So far as my voice goes, therefore, I am quite disposed to advocate the Second Reading of this Bill. No doubt there are evils in the present system which are susceptible of remedy. An illustration of the existing anomalies recently occurred almost within my own constituency. In the burgh of Newtown-Stewart a gaspipe got uncovered in the High Street, the main street of the town, and a horse falling over this pipe was seriously damaged. Of course, the pipe was laid by the Burgh Authority, and was under their cognisance, but the street itself was really part of the county road. An action was brought against the County Council in respect of the damage sustained, and a sum of £30 recovered, although the County Council cannot be said to be responsible in equity at all. That is an illustration of a burgh not having the right within its own precincts to keep its own house in order. As to the question as between the burgh and the county, I contend that the approaches to a town are far more important to the burgh than to the county. A burgh probably contains a market, a railway station, and the Post Office, to which the country people resort. By this traffic the roads are cut up, and the county has to pay the expense, and I have known cases where the cost of maintenance for three miles outside a burgh has been £50, £60, and even £100 a mile, whereas four or five miles out it has been only £8 or £10. Yet all this time the burgh is benefitting by the increase of its rateable value. I do not like the provisions making the decision of the Sheriff in such cases final. My main objection, however, is that the County Councils have not had time fully to consider the Bill, and in order to accommodate that objection I would suggest that the Committee stage should not come on till a more advanced period of the Session. I do not believe there will be found to be any disposition on the part of the County Authorities to take undue advantage as against the burghs. We want to do all that is fair and just, and I am bound to say I do not think the present system is either fair or just. I hope, therefore, that the Government will allow the Second Reading to be taken to-day.

(1.40.) MR. ESSLEMONT (Aberdeen, E.): There is evidently a consensus of opinion in favour of reading this Bill a second time. Indeed, it may be said to have been already read a second time, for its principle was embodied in the Burgh Police and Health (Scotland) Act a year or two ago. There is a great deal to be said on each side in regard to the limit of population. My hon. and learned Friend the Member for Elgin Burghs, who also represents certain burghs in the county which I have the honour to represent, called attention to the existing anomalies. No one can deny that those anomalies are very great. Take, for instance, the Burgh of Peterhead. My hon. Friend represents that. It is situated at the termini of the roads, and there is consequently no difficulty in dealing with the roads of the town by themselves. But there are other burghs, such as the Royal burgh of Kintore, as to which a most handsome apology was given for its existence. This burgh consists of two or three houses, but one of the great highways of the county goes through it. Of course, I admire the honourable defence made by the hon. Member who represents it with regard to its holding the rights it has; but, surely, it is a great anomaly that such a distinction should be drawn between that Royal burgh and Police burghs with large populations. That distinction ought to be put an end to. I think that this Bill does not go far enough, and I regret that the Lord Advocate does not see his way to bring in a Bill to adjust the anomalies that exist. What we want is to have the best possible Road Authority. I do not agree with the hon. Member for Kirkcudbright in all he said as to the user of the county roads; for let me point out that you cannot have a coal mine in working, or a thriving village, or a railway station, or an aggregation of population without an increase of assessable property. As one step on the way to an adjustment of existing anomalies, I think that a hard and fast line should be applied to the large cities, small towns, and burghs, whereby the right of assessing, whether of the burghs for the county or the county for the burgh, shall be uniform for all, whether great or small. Of course, if there are disputes and a reference to the Sheriff, his decision should be final; but I think there ought to be no necessity for disputes. I would have a uniform law for all without any reference to the Sheriff. If the promoters of the Bill will fix the Committee stage at a sufficiently distant date to ensure that the opinion of road authorities may be secured, I think they will be successful in carrying a permanent and satisfactory reform. At the same time, I hope that the Lord Advocate will see that the interests of the county representatives are protected in this matter of time.

(1.47.) MR. J. B. BALFOUR (Clackmannan, &c.): I desire to join in the appeal to the Lord Advocate to agree to the Second Reading of this Bill. I think the House must be satisfied that here there is a grievance to be remedied, and by no means a new one, for it has been before the counties and burghs for a considerable time. We know that when the Police and Health (Scotland) Bill was under consideration a great deal of interest was expressed in this question, and we know, too, that the Bill of my hon. Friend last year, and the influential character of the deputation which waited on the Lord Advocate on this subject last October, constitute further evidence of the importance attached to it. I hope the right hon. Gentleman will give his assent to the Second Reading, and let the details be threshed out in Committee. It is not often that a Scotch private Member's Bill obtains such an advantageous position so early in the Session as this Bill has secured, and it will be a great misfortune if that advantage should be lost by any postponement of the Second Reading. I do not think there can be any objection to fixing the Committee stage at such a date as will enable the County Authorities to give expression to their views. With regard to providing any hard and fast limit of population, I may point out that there is a safeguard in the Bill, as drafted, against places that are too small to have the charge of their own roads attempting to do so. It will not be compulsory on all burghs to take this step; it is only made lawful for them to do so, if they think fit, and only those who hold that it will be to the advantage of the community of whose affairs they have charge will bring themselves under the provision. Those burghs which have no organised staff for this work at present will, no doubt, be quite content to leave the road control in the hands of the county. But this point is eminently one for decision by the Local Authorities themselves. A more important point is whether the burgh should to any extent, and if so what, contribute to the maintenance of the highways immediately outside its boundaries. Well, I think that difficulty is met by the provision that the decision shall rest with the Sheriff, if the authorities themselves fail to agree. As to the objection to the decision of the Sheriff being final, I should like to observe that in this case the Sheriff will not be a judicial, but an administrative officer, performing a piece of administration, and where the assistance of an officer of the independence of character of the Sheriff is invoked, it would be most unfortunate and contrary to principle to give an appeal from his decision, all the more as to have the matter settled one way or the other is the great object of this Bill.

(1.54.) THE LORD ADVOCATE (Mr. J. P. B. ROBERTSON, Bute): I was anxious to hear the views of hon. Gentlemen before taking part in the Debate. There has been a useful and business-like discussion of this measure, and there does not appear to be any considerable divergence of opinion about it. The hon. Member for North Ayrshire presented with great clearness the anomalies in the existing law. In the first place, it is singular that some burghs having the management of their own streets are inferior in size to those which have not. It is anomalous, again, that in the case of police burghs the Commissioners have the management of all the streets in the burgh save one, and that one the principal street in the burgh. It is also a singular phenomenon that even if the Commissioners are anxious to improve the condition of the principal street, which happens to be a main thoroughfare, it is not within their competence to spend the rates upon that laudable purpose. And it is very singular that while a village which has no autonomy of its own is in a position to claim, and frequently to obtain, the admission of some of its streets to the list of county roads, that privilege is denied to police burghs, and they suffer positively a disability by reason of their having a corporate existence. Again, the fact that sewers and gas-pipes run under these roads, and cannot be reached without the consent of the Local Authority, is likely to cause irritation. It is impossible, upon a consideration of these facts, to avoid the conclusion that the law is susceptible of very great criticism, and ought to be susceptible of amendment. I should like, however, to say, on the other hand, that the reason for which the management and maintenance of these main roads has been reserved to the counties is completely intelligible, because the policy of the Legislature has been to terminate as far as possible the cutting into bits of a long line of thoroughfare and to concentrate it within the county area under the hands of one body of Trustees. That is obviously convenient. There is, in short, a conflict of convenience, however, when the thoroughfare passes through a burgh. It is desirable that continuity of management should not be broken, but it is undesirable that the Burgh Authority should be ousted from the management of the main part of the town. The proper way of arriving at a solution, perhaps, is to discover the cases where the main thoroughfare retains substantially its character of a through road, and the cases where it loses that character and is more of a street in a town. I think the House is fairly entitled to reserve its judgment as to the size of the burghs which shall have vested in them these powers of road management. Coming, however, to the practical question, it is impossible to ignore the fact that the substantive proposal is the transfer of a jurisdiction at present vested in the County Councils to the police burghs, and not only of jurisdiction, but also of a power of assessment. I think there is an awkwardness in the House pronouncing upon a question of local administration in the absence of the views of the local administrators from whom this subtraction of power is to be made, and, therefore, my opinion leads me towards the suggestion that the Debate should be adjourned until the County Councils have had an opportunity of considering the matter. I certainly do not agree that the County Councils are to blame for not having already considered this Bill. The Bill is not the same as that of last year; but even as regards last year's Bill the County Councils had a great deal to do at the time and could not consider the measure. I think they should be asked to express their opinions promptly on this Bill, and at once state their recommendations on the subject. I have some reserve in pronouncing on a matter of this kind, which is really one of local convenience, and one for local consideration, in the absence of the views of one of the authorities, which is the authority from which it is proposed to subtract power. At the same time, there is great force in what has been said by the hon. Gentleman as justifying the Second Reading of the Bill now. I am, myself, most reluctant, my hon. Friend having obtained the position of the First Order in the early part of the Session, to deprive him of the Second Reading. I do not think the subject is one of such complexity or doubt that we may not fairly give the Bill a Second Reading. But I hope the hon. Gentleman will accede to the views which have been urged in all quarters of the House, as to the sense in which he is to take the Second Reading. This is really a matter of detail. I do not suppose that he will consider that the House is committed to more than the general view that there ought to be an extension of powers to burghs in regard to roads; whether we shall confer on the Police burghs the right of managing their own roads is a question which I, for my part, desire to hold an open mind. Whether, again, there should be a limit in point of time is a subject with which it is unnecessary to deal. But that point acquires special importance when it is remembered that while the terms of transfer, according to the Bill, will be subject to agreement by the County Council, or settlement by the Sheriff, the County Council has no right of veto upon the transfer; that can only go before the Sheriff on the subject of terms. I trust that my hon. Friend will accept the suggestion which I throw out as to the sense in which he will take the Second Reading. I should like to add that nothing I have said is intended to suggest to the County Councils, or those who represent them, that there are reasons which ought to make them jealous or timid about this proposal. I cannot say that I think that is the case. Another matter which I wish particularly to impress upon my hon. Friend is this: I hope he will not fix the Committee stage for too early a date, and I would suggest that he should take it after Easter, in order to allow of the County Council meeting in March. The discussion we have had to-day has been so amicable and reasonable that he may be satisfied after the County Councils have considered the Bill that the Committee stage will not be protracted or laborious. On the part of the Government, I shall approach the subject as a matter of mere administration which ought, however, to be carried through with the general consent of the House. (2.5.)

*(2.20.) SIR ARCHIBALD CAMPBELL (Renfrew, W.): Mr. Speaker, while concurring with the remarks of the Lord Advocate on the Bill, and being ready to vote for the Second Reading, I shall reserve to myself the right of proposing any such Amendment as may be necessary in Committee. Every County Council has not reported upon this Bill, because it has not had time; and I trust that in accordance with the suggestion of the Lord Advocate, the Committee stage will not be taken until after Easter. In my own County of Renfrew there is a large number of Police burghs and populous places where the action of the Bill as laid down would be rather hard. The county has expended a large sum of money on the main roads. We have two large road steamers, beside machinery for breaking up the road metal, and there is a general consensus of opinion that as a result of that expenditure the roads are much better than they were before. I should be very much afraid that if there were any part of the contributions by the populous places and the Police burghs withdrawn, it would bear exceedingly heavy on the other parts of the county which have to keep up their expensive machinery. I have no objection to the Police burghs managing their own roads as well as they can, but I think it should be clearly laid down that the county, having to keep up all these through roads, they should contribute, at all events, to a certain extent, to the large cost which is involved in providing for the large traffic going into these large burghs. I believe in England that the rate is collected in these boroughs, or those places which are similar to the Police burghs in Scotland, by the County Council, and that a certain portion of it is given back to the brughs. If a certain sum is to be

given to keep up the roads within the burghs, the burghs would then maintain them, and the counties would not lose anything by it. Another question to be considered in this matter is the breaking up of the counties. Now, especially in Renfrewshire, the main roads which run out of Glasgow run through a number of large Police burghs, and the result of the passage of this Bill wou'd be that if these burghs are to be taken out of the county, and to have the management of their own roads, you would have, say, one mile of road within a burgh, another in the county, and a third mile in another burgh, so that the county would be broken up somewhat after the manner of a draught or chess-board. I think that the continuity of authority which has proved so valuable in keeping the roads in a better condition than would otherwise have been the case would thereby be destroyed, and that the public generally would lose by the change. These matters could, however, be all dealt with in Committee. It should be thoroughly understood that in conceding the Second Reading of the Bill we merely adopt the principle to the burghs that the burghs should have as much authority as they fairly ought to have within the limits of their own jurisdiction, but that the counties should not lose by a measure that is intended for the safeguarding of the towns.

*MR. H. ELLIOT: I quite concur with what has been said by the right hon. Gentleman the Lord Advocate in accepting the principle of the Bill, but I hope he will allow me to put the Committee stage down for to-morrow, so that I may not lose the priority I have obtained for the Bill, on the understanding that I shall not proceed with the Committee stage till after Easter.

Question put, and agreed to.

Bill read a second time, and committed for to-morrow.

CONSPIRACY LAW AMENDMENT BILL.

(No. 15.)

SECOND READING.

Order for Second Reading read.

(2.27.) MR. E. ROBERTSON (Dundee): In rising to move the Second Reading of this Bill, I feel that a certain apology is due from a private Member who invites the House to enter on the difficult subject of the Law of Criminal Conspiracy. Instead of bringing forward a Bill, I would rather have found myself in the position of offering a cordial support to the Law Officers of the Crown—who, I am sorry to say, are not here—in the discharge of the duty of submitting once more to the House the carefully-prepared and complete scheme embracing the Criminal Code, which, at the instance of a Tory Government, a little more than 11 years ago, was framed by a Judicial Commission of the highest character. The Penal Code which was drawn up by that Commission I cannot help comparing to what was done by another still more famous Royal Commission, which I think did not receive very fair treatment. The Criminal Code Commission has not even had the reward of the thanks of this House, and all that was done upon their Report was that the Tory Government of 1880 did commit itself through the late lamented Sir John Holker to the nature of that Criminal Code, for a Bill was, I believe, brought forward in that year, that measure being, with the exception of some particulars into which I need not go, the same as the scheme recommended by the Commissioners. Next to having the whole subject dealt with in that way, I should have preferred to have seen the whole subject of criminal conspiracy dealt with as a whole, but I think it would have been as entirely out of place for me to have made such a proposal as for one in my position to have attempted to alter the whole Criminal Code. If the Law of Conspiracy were to be dealt with in the way I have just suggested, I should not have stood in the way with my Bill on this occasion. I have been led to bring forward the proposals the Bill contains by the practical injustice of the Law of Conspiracy, as far as it is ascertained, and by the boundless possibilities of injustice which may be anticipated as far as it is not ascertained. The Bill is restricted to two points. I propose to amend the Conspiracy and Protection to Property Act of the year 1875 on two points, and two points only. The first of them is this: I propose to lay down the general principle that, subject to specified exceptions, no combination shall be treated as criminal unless it contemplates a criminal object. That is provided in Clause 3 of the Bill. In the second place, I propose to amend the Act of 1875 as to one word, and one word only, in Section 7 of that Act—the word "intimidates"—by limiting intimidation in the manner proposed in my Bill. As the time available for the discussion of this question, important as I think it is, has now become rather limited, I shall deal as summarily as I possibly can with the two points I have mentioned. In the first place, I propose to lay down a rule, following the Act of 1875, that, subject to certain specified exceptions, an agreement or combination by two or more persons to do or procure to be done, any act shall not be punished as a conspiracy, if when committed by one person it could not be punished as a crime. I have not been convinced that there ought to be anything in the mere act of combination which should import criminality into proceedings which are not in themselves criminal. I cannot admit the absolutely undemocratic principle that one man can do that which a hundred cannot; that a body of tenants cannot, without being guilty of a crime, do that which their landlord may do; that a body of servants may not, without being guilty of a crime, do that which their master may do with impunity. I know there is a great deal to be said on the other side; but in parting with this topic I will just say that, in taking this apparently extreme position, I am fortified by the highest authority—I have been looking at the edition of the Indian Penal Code, published by Mr. Stokes. I imagine it is virtually the same as that drawn by Lord Macaulay, and the best interpretation I can put upon it is this: that outside acts of war, outside revolution, there is nothing recognised in the Indian Penal Code as conspiracy which is not conspiracy to commit a criminal offence. Clause 3 of my Bill starts with the general principle of the Act of 1875. I leave out that which in the Act of 1875 limits the application of the principle to trade disputes. In the next paragraph I embody the exceptions laid down in the Act of 1875, and introduce certain other exceptions, which are not mentioned in that Act, because conspiracies of that kind, I suppose, may be considered unlikely to occur in trade disputes. But as I have enlarged the principle, I think it right to admit all the exceptions, which are fortified by strong authority. The clause as drawn practically reproduces the recommendations of the Criminal Code Commission of 1879, the effect of which I have stated in the Memorandum prefixed to the Bill. I will read a single paragraph from that Memorandum, which shows the views taken by the Commission of 1879, and, as far as I have been able to discover, adopted, approved, and embodied in a Bill brought before this House by the then Law Officer of the then Tory Government. The Commission says:—

> "We have taken the responsibility of recommending that crimes should no longer be indictable at Common Law, but only under the provisions of the Draft Code, or some other Act in force for the time being . . . . . Section 5 will thus have the effect of preventing indictments at Common Law for conspiracy."

That is what I say is brought about by Section 3 of this Bill. Section 5 of the Draft Bill was reproduced as Section 6 of Sir John Holker's Bill, and I am not aware of anything which can relieve the Conservative Party from this, that by their own deliberate action they proposed in 1879 to pass into law the very principle I seek to establish by Clause 3 of my Bill. Why should that general principle, that only criminal combinations should be treated as conspiracies, subject to the recognised exceptions, be limited to trade disputes? That is the first question to which I invite the attention of those hon. Members opposite who have indicated an intention of opposing this Bill. Well, as I have said, I propose to repeat the Act of 1875 without its limitations, but with its exceptions. I have left out the second paragraph of Clause 3 of the Act, which says that the Act is not to apply to conspiracy which is made punishable by law. I do not know that there is any conspiracy of that sort other than, possibly, conspiracies under the Criminal Law Amendment Act for Ireland. If there is any other conspiracy punishable by Act of Parliament and which it is desirable to punish as a crime, I suggest that it should be brought into the list of exceptions. My list of exceptions may include items that are not necessary. I have put them there because they are in the existing Act and in the report of the Criminal Code Commission. It may be, on the other hand, that the Bill omits some items that ought to be there. As to that, I shall be perfectly prepared, if this measure is allowed to reach the Committee stage, to introduce into the list any exceptions for which a reasonable argument may be put forward. I am desirous on this, as on all other points, to shelter myself under and behind the best authority, and I have taken these exceptions from the Report of Lord Blackburn's Commission and the Report of the Commission of 1870. If they ought to be more completely and correctly defined, let us do it. Let us treat the list in the second paragraph of my Bill simply as a Schedule of exceptions which may be extended or reduced in Committee. May I say that at least in one important case of codification of the Criminal Law the result is precisely the same, even in point of form, as this which I now propose? A great deal of codification has been going on for a long time in the United States of America. As far as I know, the Criminal Code of New York is the most complete, if not the only complete, instance of penal codification in the United States. That Code, which I suppose is still in force, does almost literally the same thing as I hope to do in this Bill, and I venture respectfully to cite that as a precedent which the House may properly take into consideration in dealing with this part of the measure. I ask the attention not so much of lawyers as of lay Members of the House to this point. I say this is not so much a question of law as one of policy of the highest importance, on which the common sense of Members of this House is worth the judgment of a thousand Judges. The first consideration I ask them to keep in mind is this: that this proposal, or any proposal on similar lines, will at least limit the dangerous vagueness of the Law of Conspiracy. I am not going to enter into a discussion about the present state of that law, but I shall make one or two references to establish the proposition that the law is vague, and that the vagueness is dangerous. I would refer, in the first place, to a most learned controversy that has been going on for some time past in the *Law Quarterly Review*. That controversy has been sustained on one side by a learned friend of mine, Mr. Digby. I do not say whether he is right or wrong in his conclusions, but I say that no one can read his articles without seeing that the law is in a state of the greatest vagueness. Again, Mr. Justice Stephen, who was one of the Members of the Criminal Code Commission, speaking of the well-known Judgment in "The Queen against Drewitt"—which, of course, was an extreme case—puts in a graphic way one of the possibilities that may be drawn out of the present state of the law. He says—

> "If this is correctly reported, and is good law, it would follow that if two brothers, having a sister who was about to contract a marriage which they disliked, agreed together to exclude her from their society if she did so, in order by the threat of so doing to prevent the marriage, they would be guilty of an indictable conspiracy."

That is a possibility, according to one of the most learned Judges on the Bench, under the present Law of Conspiracy. Again, after laying down the general exceptions to the rule, the learned Commissioners on the Criminal Code say—

> "There is not, perhaps, any distinct authority for the proposition that there are at Common Law any criminal conspiracies other than those referred to, but some degree of obscurity exists on the subject. An agreement to do an unlawful act has been said to be a conspiracy, but as no definition has been found as to what constitutes unlawfulness, it seems to us unsatisfactory that there should be any indictable offence of which the elements should be left in uncertainty and doubt."

Surely that is a most weighty deliverance, and it is not right to perplex juries of laymen with such possibilities as this law points to. Surely it is not right to trust even Resident Magistrates, certified though their legal qualifications may be by the Lord Lieutenant, to administer a law in that condition. The hon. and learned Member for Holborn (Mr. Gainsford Bruce) has intimated an intention of moving the rejection of the Bill. I ask my hon. and learned Friend to answer these two questions: How does he, and how do the Government, propose in this democratic House to justify the distinction which the Act of 1875 establishes between artizans and other classes of Her Majesty's subjects? If they are going to maintain this distinction, how do they propose to justify it in the face of the country? In the second place, I ask, can they point to any substantial difference between the proposals I now make and those contained in the Criminal Code reported by the Commission to Her Majesty, and submitted by Sir John Holker to this House? I now come to the second point on which I propose to amend the Act of 1875. Section 4 of my Bill proposes to amend Clause 7 of the Conspiracy Act by imposing the limitation I set out. I will not trouble the House by reading the whole of Clause 7 of the Act of 1875. It provides, however, that every person who, with the view to compel any person to do or abstain from doing, &c.,

> "Uses violence to or intimidates such other person, or his wife or children, or injures his property,"

shall be guilty of an offence under the Act. The offence, therefore, consists either (1) in violence to person or property, or (2) in intimidation. What I propose to do is to limit intimidation by the words I have introduced in Clause 4 of my Bill. It is within the knowledge of every Member of this House that Clause 7 has recently received a startling interpretation by one of the Judges of the land—one of the inferior Judges if you like—but, still, one of the Judges who has the liberties of Her Majesty's subjects under his control. Everyone, I presume, has heard of a recent decision by Mr. Bompas, Q.C., a decision which has made the name of Bompas famous. But he is not the only Recorder or the only Judge who has given that decision. I believe a similar interpretation has also been put upon Clause 7 by Mr. Digby Seymour, Q.C., the Recorder of Newcastle. I have not seen any authorised version of those decisions, but I have seen the newspaper reports of the decision of Mr. Bompas, which, obviously, will not be quite accurate. It would seem, however, that he decided that where officials of a Trade Union order their men to leave work unless their employer consents to dismiss non-Union men, the officials of the Trade Union are guilty of intimidation within the meaning of Section 7. The hon. Member for the Wansbeck Division (Mr. Fenwick), who will second the Motion, will go more fully into these decisions, and will be better able to deal with them than I, as he knows more about them. I will only say that these decisions startled the whole community by the rendering they gave to Clause 7, and that is the reason that induced me to put Clause 4 in the Bill. I would ask the attention of the House whilst I go into the reasons why I have drawn Clause 4 in this shape. I propose to limit intimidation in this way, that it shall mean—

> "Such intimidation as would justify a Justice of the Peace, on complaint made to him, in binding over the persons so intimidating to keep the peace."

I do not know whether my hon. and learned Friends on the other side challenge these words. I am not concerned here to vindicate their absolute legal accuracy, because I shall be quite ready to agree to their amendment, if necessary, after the Bill is read a second time, so as to bring the words into such a form as will adequately carry out the limitation I propose. But I want to tell the House—and to this I ask the special attention of the Attorney General—why I have introduced these words I have quoted. I introduced these words because they are the hon. and learned Gentleman's own—or, if not literally his own, those of his predecessor in office. The history of these words is well worthy of the attention of the House. They are to be found in an old Act, now repealed, called the Criminal Law Amendment Act, 1871. The offence of intimidation was there set out in the words I have quoted, and this Clause 7 of the Act of 1875 is a corresponding clause to the intimidation section of the Act of 1871. When the Act of 1875 was before the House it contained no reference to the Act of 1871, but ultimately it was considered desirable to repeal the Act of 1871 and reproduce its provisions. That was done, and Sir R. Cross, who was then Home Secretary, re-drafted it, and the words I have quoted were in the Act of 1875 when it went to the House of Lords. I believe that those words were carefully chosen by the Conservative Government of the day after consultation with certain labour representatives, and that they gave entire satisfaction. They were, I understand, inserted at the suggestion of an extremely high authority. I am not at liberty to state who it was, but if I did I think it would be admitted that the authority was a high one—higher even now than it was 15 years ago. The Bill, which is now the Act of 1875, went to the House of Lords, and came back with the limiting words struck out and the word "intimidate" in all its nakedness, and with all its possibilities of danger. How did this House take this Amendment, effected in one of the most important Bills of the Session by the House of Lords? It was received with strong opposition. It was contested by the labour representatives of that day on precisely the same grounds as those I have taken up to-day, and was only carried by a majority of 12, and with a very faint show of support on the part of the Tory Government. The majority was 52 to 40. The House of Lords' Amendment was resisted by the entire available strength of the then Liberal Party. Since then the Liberal Party has divided itself into two sections, one large, the other comparatively small. I want to show what attitude the representatives of the Liberal Unionist Party now in the House (there is only one present that I can observe, and he did not take part in the Division to which I have referred) took up in regard to this Amendment of the House of Lords. The Marquess of Hartington voted against it, as also Sir Henry Havelock, Sir Henry James, and Mr. Fraser-Mackintosh—a colleague of mine, who was in the House a short time ago when a small question of roads and bridges was under consideration, but who apparently does not think it worth his while to remain here to defend the vote he gave in 1875. But the Division was not the only significant thing on that occasion. There was a Debate as well as a Division, the same question being raised in an Amendment by Mr. Robert Lowe, which was strongly supported by the right hon. and learned

Gentleman who is now the Member for Bury (Sir H. James). I want the House to listen to the words of the Member for Bury, who, I am sorry to say, is not here. He disclaimed the other day being a political prophet, and I am sure it must please him to know that he has turned out, in reference to this matter, to be a legal prophet. Speaking against the House of Lords' Amendment, he said—

> "They ought to make it clearly understood what had been done, not by the Home Secretary or the Government, but by those who had considered this matter in the House of Lords. If the clause stood as it was, workmen would be placed in an infinitely worse position than they were in at present, and the House of Commons would be giving up the fruits of their labours, not to dispassionate and calm consideration on the part of the House of Lords, but to what he must characterise as hasty legislation. Under the Act of 1871 a person, in order to be convicted under this part of the clause, had to threaten or intimidate, another person in such a manner as would justify a Justice of the Peace in binding him over, and that must be done with a view to coerce. If they had a severe law, they inflicted the severe law only upon a guilty person."

And then the right hon. and learned Gentleman went on to appeal

> "To Her Majesty's Government not to change their policy but to adhere to it—to adhere to what the House had accepted."—[*Hansard*, 3rd Series, Vol. 226, page 713.]

I have read that extract, not so much with the view of fixing upon the right hon. and learned Gentleman any charge of inconsistency if he should oppose or fail to support this Bill, but to show that the effect which has now been given to these words by the decision of Mr. Bompas, and in a Scotch case only yesterday, was anticipated 16 years ago by a Member of this House, deservedly respected for his high legal attainments and authority. Again, I say, if the wording of the clause is not sufficient, let us have better words. In the meantime, I claim that the words have the authority of this House and of Parliament. They have been enacted by Parliament, and they have been twice approved by this House and a Tory Government. I have made no reference whatever to the possible application of this Bill. I have treated it as embodying a fair abstract principle of legislation. I have said nothing as to how the Bill will affect Ireland. No doubt the operation of the Coercion Act will be materially affected, but I cannot for a moment suppose that that will be regarded by the Government as any reason for opposing the Bill. If they stand like their predecessors by the principle of the Bill, if they admit that the late Sir John Holker was right, and that his Government was right in limiting conspiracy, it does not lie in the mouth of the Government to say that they will oppose a Bill because it will affect the operation of the Coercion Act in Ireland. The Government have always insisted that that Act does not change the law. If the Government admit the principle of the Bill, and refuse to give it a Second Reading because of its effect on the Coercion Act in Ireland, they in effect admit that there is one law in Ireland and another in England. That will not be the case if they stand by the colours of Sir J. Holker, and if they are not less liberal than the Tory Government of his day. But if they oppose the Motion for the Second Reading, then they will be in this position—they will be going to impose a bad law on England in order that they may have the benefit of it in Ireland. I hold that both "conspiracy" and "intimidation" are vague terms, and that their vagueness is dangerous, and affects most of all the poor and the artisans of this country. I look with misgiving upon any measure which tends to sunder the people of one part of the Kingdom from the people of another. I look with hope and confident anticipation to anything which serves to unite their interests. This Bill will unite the people of England and Ireland; the artisans of Wales and Scotland are equally interested in its principle, and in their name I appeal to the Government to allow this Bill to pass the Second Reading.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. E. Robertson.*)

*(3.8) MR. FENWICK (Northumberland, Wansbeck): My hon. and learned Friend, in rising to move the Second Reading, deemed it necessary to apologise to the House for having taken on himself the responsibility of calling attention to the necessity for reform in the Law of Conspiracy. I think the House will agree with me, after listening to his very able and lucid speech, that his apology was altogether uncalled for. Perhaps I, as a layman, ought to offer some apology for having risen to second the Motion of my hon. and learned Friend. Under ordinary circumstances, I should not have thought of obtruding myself on the attention of the House in a Debate of this kind. I should have been quite content to listen to the legal gentlemen on both sides of the House, who, on a question of such magnitude as this, would have been able to interest the House for the whole of an afternoon sitting; but the House will, I think, agree with me that there are special reasons why I, who may very fairly claim to speak for a large number of people outside the House whose legal position has been very materially challenged by recent decisions in County Courts, should crave the indulgence of the House for a few minutes. My hon. and learned Friend has justly stated that the Law of Conspiracy at present is very vague, and the Judgments of the Recorder of Plymouth and of Mr. Seymour at Newcastle confirm his argument as to the vagueness of the law and its consequent dangers. Formerly Trade Unions in this country were regarded as criminal combinations; their members were brought before the Courts and sent to prison as guilty of conspiracy. That state of the law was considered so unsatisfactory that Parliament felt bound to alter it, and to give working men freedom to combine for the purpose of protecting their capital, which was their labour. The Trade Unions Act of 1871 gave that liberty, but even then there was some vagueness in the law, and the Judges held that, while working men committed no act of illegality in combining, the methods by which their Trade Unions were formed were in themselves illegal methods, and therefore open to punishment in a Court of Law. In 1875 the Conspiracy and Protection of Property Act was brought in by a Conservative Government with the view of remedying that unfair state of things, and of granting to working men, as far as

possible, the power to combine to improve their condition by striking either to obtain better wages or to alter the conditions of their labour, and by putting pressure on their employers to effect what they desired. It has been held by the Tories at General Elections and bye-elections that the Act of 1875 gave working men freedom in that respect. But we have seen it laid down by Mr. Bompas at Plymouth and Mr. Seymour at Newcastle that that view of the law is wrong. I am sorry the Government have not been able to get out in time for this Debate the Judgment of the Recorder of Plymouth.

*THE ATTORNEY GENERAL (Sir R. WEBSTER, Isle of Wight): It is in print in the Vote Office.

MR. FENWICK: Unfortunately I have not had the opportunity of seeing it. I have to rely on the reports in the newspapers, and, according to those reports Mr. Bompas laid it down that it is perfectly legal for workmen to combine with the object of obtaining better wages, or of altering the conditions of labour, but that it is illegal to promote a strike for the purpose of preventing what may be the chief obstacle in the way of the attainment of either of those ends, namely, the employment of non-Unionists. That Judgment gave me, as a Trades Unionist, very great surprise, and was contrary to the opinion of many eminent legal authorities. What are the facts as disclosed in evidence in the Plymouth case? Mr. Treleaven, a local coal merchant, employed four gangs of men to unload his vessels in the port. The members of three of these gangs belonged to some Trade Society, while the members of the fourth did not. Differences having arisen between Mr. Treleaven and one of his workmen of a very minor character, three of the Secretaries of the local Trades Unions waited upon Mr. Treleaven with a view to arrange some amicable settlement of the point in dispute. Mr. Treleaven was not at his office, but his cashier made an appointment for Mr. Treleaven with the deputation for 5 o'clock in the afternoon. On arriving at that hour they found that Mr. Treleaven had, so to speak, led them into a trap. The Secretary of the Merchants' Association was present, and other gentlemen, and one or more gentlemen of the Press, for the purpose of taking a shorthand note of all that transpired. The interview was of a perfectly frank and friendly nature, and at the close Mr. Treleaven took it upon himself, in the name of the Association, to thank the deputation for the moderate way in which they had placed their views before him, and for the desire they had shown to prevent any dispute between him and his workmen. Yet, Sir, would the House believe that it was on the strength of that private interview that the case was brought into Court, and it was in that interview that it was supposed Secretaries Curran, Matthews, and Shepherd intimidated Mr. Treleaven? It was for this that they were ordered to pay a heavy fine of £20, with an alternative of six weeks' imprisonment. I am sorry there has been found a single man in this country, acting in the capacity of Recorder, who was willing to uphold that Judgment. If the law laid down in that case be correct, I say there are very few employers of labour who are not at this moment open to indictment on charges similar to those brought against these men at Plymouth. Some of us who have a close connection with Trade Organisations know what an extensive use is made of the "character note" by employers in this country. Employers may combine for the purpose of protecting their own interest. When a workman applies for employment the name and address of his previous employer is taken, and immediately a secret inquiry is instituted into the character and antecedents of the man who is seeking work. If, perchance, the workman has offended the good taste of his previous employer in any trivial matter the gates of the factory, or the workshop, or the colliery are closed against him, and he is turned adrift upon the world. Yet it is for doing an act precisely similar to this that these men at Plymouth and the men at Newcastle were ordered to pay heavy fines, or sentenced to long terms of imprisonment. I cannot help thinking that the Recorder of Plymouth and the Recorder of Newcastle have mixed up the Law of Conspiracy as laid down in the Conspiracy Act of 1875, and as applicable to this country, with the provisions of the Criminal Law Amendment Act of 1887, which is applicable only to Ireland. Indeed, I find that the Recorder of Newcastle has, in his Judgment, turned expressly to the Criminal Law Amendment (Ireland) Act of 1887 for his definition of intimidation. Speaking of the Irish Act, under which a magisterial inquiry has just been held in Tipperary, he said—

> "That was not an Act binding on England, but he had read its definition of the word 'intimidation,' and he pointed to it as an illustration of how intimidation might be defined. The Act said: 'The expression intimidation includes any words or acts intended and calculated to put any person in fear of any injury or danger to himself or any member of his family, or to put any person in his employment in fear of any injury to or loss of property, business, or employment.' That—Judge Seymour proceeded—is intimidation as defined by statute in Ireland" ——

*MR. GAINSFORD BRUCE (Finsbury, Holborn): May I ask the hon. Member whether he is quoting from the Charge of the learned Recorder, or from his summing up? I have heard the quotation before.

*MR. FENWICK: It is in the Judgment delivered by the Recorder. He went on—

> "That is intimidation as defined by statute in Ireland, but what is true of intimidation by statute in Ireland is also the definition of intimidation in England without statute."

It seems to me, therefore, that I am quite justified in holding that both Mr. Bompas and Judge Seymour, in their Judgments on intimidation, have mixed up considerably the Criminal Law Amendment Act, which applies only to Ireland, with the Conspiracy Act of 1875, which applies strictly to England. The Recorder of Newcastle goes on to say—

> "What would have been the result of this man if he had not consented to join the Union? The gates would have been closed against him, and, for aught I know, a placard might have been put up stating: 'This yard enjoys a monopoly of Trades Unionism. Free labour is bound to go elsewhere.' "

But, with all this, there is no evidence of violence having been threatened against these men—no evidence to show that more than what he himself declared to have been a vague threat was offered to them when they were asked to join the Union. Indeed, Judge Seymour, in his Judgment, goes to the extent of declaring that it was a moral intimidation that was used against Connor to induce him to join the Union. But I contend that it would be perfectly legal for workmen to go to their employers and to say, "Unless you do so and so, we on our part will refuse to do so and so." That was all that was contended by the workmen either in the case at Plymouth or in the case that came before Judge Seymour at Newcastle in November. That, I contend —speaking not as a legal man—they have a perfect right to do, and I shall be very much surprised if any legal man gets up in this House and declares that they are bound under any circumstances to work for an employer. It has always been understood since the passing of the Act of 1875 that the workman was free to work for whom he would, or with whom he would, provided that he tendered a legal notice to his employer of his intention to leave his employment at a given time. But in the case at Newcastle, as in the case at Plymouth, the question at issue is not that of breach of contract, because if the charge had been that of breach of contract I venture to say frankly that, in my humble opinion, the men would have found that judgment would have gone against them, and legally gone against them. The charge was not that of breach of contract, and I very much doubt if any Superior Court can be found to uphold the decisions given at Newcastle and at Plymouth. However that may be, I am certain that you could not find 12 men of impartial minds who in such a case would give a verdict in accordance with the Judgments of Mr. Bompas and Judge Seymour. The vague state of the law in relation to intimidation and conspiracy —the dangerously vague state of the law—is calculated to work most injuriously against the interests of the poor and industrial classes of the country, and the time has come when some alteration in the law should be made. I hope the Government will see their way to accept the Second Reading of this Bill. It may be that the provisions of the Bill do not cover the whole question, but at least it is a step in the right direction. It may be necessary for some of us to move Amendments should the Bill come before Committee of the House, so that it may cover all the points at issue, as they have arisen out of Judgments given especially under the 7th section of the Act of 1875. We reserve our right to move such Amendments; but I think with some degree of assurance I may express a hope that the House will assent to the Second Reading, seeing that the words of the 4th clause were words introduced into a Bill by a previous Tory Government here, and only struck out by the action of the Conservative Party in another place.

*(3.34.) MR. GAINSFORD BRUCE: I feel the difficulty which always attends one who opposes a Bill professing to be an amendment of the law, but it is not every alteration of the law that is an amendment. I can assure my hon. and learned Friend the Member for Dundee (Mr. Robertson) that I am quite as anxious as he is to preserve the free course of trade in labour; but I oppose the Bill, because I conceive it will not effect that object. My hon. Friend proposes to break down the fence that the law has established to protect individuals against the combination of many, but he provides no efficient substitute. The protection which the existing provisions of the law afford is necessary for the whole community, as necessary for the tenant as for the landlord, for the servant as for the master. This Bill I conceive to be framed on wrong lines. No doubt the Law of Conspiracy is a far-reaching law. It has been said that it is a wide net, and in the course of history cases of particular hardship have arisen from the application of the law. But we find that when cases of hardship have arisen and legislation has been thought necessary, the Legislature has thought it wise not to obliterate and do away with the general law, but to introduce express provisions dealing with the particular cases. That was the course which the Conservative Government adopted in 1875, when they exempted Trades Unions. That Government did wisely in recognising the way in which Trades Unions were managed, recognised them as large assemblies of men of great intelligence, of loyalty to the country; men, on the whole, willing and anxious to obey the law, men under the control of able leaders who were friends and upholders of the law. The Conservative Government thought that exception might be made for persons of this particular class. That is the reason why, in 1875, a Conservative Government thought fit to sanction the change then made, because they thought that the time had come when confidence might be placed in Trades Unions. If my hon. and learned Friend had found or known of any other class like this class of Trades Unionists—of law-abiding, peace-loving men—on whom the Law of Conspiracy pressed with undue hardship, then he might have followed the precedent of previous legislation, and proposed to make an exception in favour of that class. He has not done so. He knows that there is no class on behalf of which he could appeal, that there is no hardship which he can specify as needing relief, and so he adopts another method altogether, and seeks to sweep away the Common Law of Conspiracy in order that conspirators in general may be unrestrained. But, unless you are to encourage absolute lawlessness you cannot do away with a general law, unless you are prepared to substitute exact definitions containing the criteria of criminal acts. My hon. and learned Friend has not done that; he proposes to obliterate, but he fails to substitute. I fully recognise the great ability and industry of my hon. and learned Friend. He might, indeed, with infinite pains with reference to a myriad of precedents, have carried out an attempt to define in precise language offences he thought should be included in the Law of Conspiracy, but he would have found it a difficult and unthankful task. My hon. and learned Friend has referred to the Report of the Royal Commission, and he has affixed to his Bill a Memorandum containing an extract from the Report of that Commission. The practice which has of late grown up of affixing a Memorandum to a Bill is, no doubt, in many cases a con-

venient practice; but I am afraid that in many instances the Memorandum does not give a very accurate representation of the contents of the Bill. It does not do so in this instance. The Memorandum states that the 3rd section of the Bill declares the law in the terms proposed by the Criminal Code Bill Commissioners. Now, it is true that the Commissioners recommended that crimes should no longer be indictable at Common Law; but, at the same time, they introduced into their Draft Code a vast number of minute provisions, which they thought provided for the general rule they proposed to do away with. I look at the provisions of the Code my hon. and learned Friend is so anxious to impose upon the country. In the 102nd section of the Draft Code I find this definition—

> "A seditious conspiracy is an agreement between two or more persons to carry into execution a seditious intention."

Now, what is a seditious intention?

> "A seditious intention is an intention to bring into hatred or contempt, or to excite disaffection against the person of Her Majesty, or the Government and Constitution of the United Kingdom, or of any part of it as by law established, or either House of Parliament or the administration of justice, or to raise discontent or disaffection amongst Her Majesty's subjects, or to promote feelings of ill-will and hostility between different classes of such subjects."

["Hear, hear!"] I am glad to hear that hon. Gentlemen opposite approve of this definition of the law; but if they think that it should be a criminal offence for two or more persons to agree to set class against class, why is the clause I have read not inserted in the Bill now before the House? I must say that I think if hon. Gentlemen opposite were to adopt a code of law defined as the Commissioners proposed to define it, that it would not be less oppressive than the present law. I think they will find, on reflection, that the freedom of political life would not be advanced by the change proposed by the Commissioners, and I beg to observe that I have referred only to one of the many clauses in the Draft Code dealing with conspiracy in its various forms. In reference to this Memorandum, I think that my hon. and learned Friend has hardly given sufficient consideration to the Report the Commissioners made. It seems to me he has given but very scant attention to the recommendations of the Commissioners, because while he cites a passage from their Report he stops at the end of a sentence which runs in this way:—

> "The sections of the Draft Code which deal with the subject of conspiracy comprise treasonable conspiracies, seditious conspiracies, conspiracies to bring false accusations, conspiracies to prevent justice, to defile women, to murder, to defraud, to commit indictable offences, and conspiracies to prevent by force the collection of rates and taxes."

There my hon. and learned Friend stops; but, by inadvertence no doubt, he has left out the passage immediately following:—

> "The law as to trade conspiracies we have left untouched; and to make it clear that we have done so, we have added a few words at the end of the clauses relating to conspiracies."

I do not know why, if the hon. and learned Gentleman appeals to the Criminal Code Report, he should not abide by that; and when I find that the definitions in that Code tend in no respect to relax the law, and expressly preserve the existing law as to trade conspiracies, I do not understand what benefit the people of this country are to get by adopting the definitions contained in the Code. I do not wish to detain the House by discussing general principles; but certainly I cannot assent to the principle that it follows, as a matter of course, that what one man may do with impunity 50 men may do with impunity. It is a small matter to me if one man walks across my field; it becomes an important matter to me if 50 men do so. It is a small matter to me if one man defames my character, using words that are not actionable, but if 50 men go about among my friends reiterating the slander, then it may become a serious matter to me. It must be admitted that, to a large extent, the character of a wrong is altered when a large number of persons join in committing it. There is a most able and judicious argument on this point in a book published by the late

Sir W. Erle, Chief Justice of the Common Pleas. He discusses, in a masterly manner, the question why an act becomes a crime when done by several persons which is but a private wrong when committed by one. The distinction between a private wrong and a crime is that whereas a wrong is an injury to the individual, a crime is an injury to the community. No definite line can be drawn between the nature of an act constituting a private wrong and an act which is a public crime. The true distinction lies in the effect of the act upon the public wellbeing. Sir William Erle says—

> "It may be said that wrongs become crimes by reference to the importance of the public right violated thereby. . . . There seems also to be authority for saying that a combination to violate a private right, in which the public has a sufficient interest, is a crime, such a violation being an actionable wrong. In Berenger's case (3 M. & S., 67), if I understand it aright, is an example. He combined with others to spread at the Stock Exchange a false report of the death of Buonaparte, for the purpose of raising the price of Stocks and selling at the rise. In my opinion, he violated by the use of falsehood the private right of the purchasers in the market to buy at the price settled by competition; and the Court decided that the public has an interest in the security of the public funds sufficient to make such a combination to effect a private wrong a crime."

The book I quote from was published in 1869, but I am dealing with principles which hold good now as then. It is not right to say that if the public have no interest in what one man does they have no interest in the same thing when 50 or 500 men do it. The law is founded on good sense and practical experience. It is idle to seek to abolish that law in the way suggested by the present Bill. If the hon. Member for Dundee wishes to make an earnest effort to amend the law, let him adopt all the clauses relating to conspiracy recommended by the Commissioners. But even if he should attempt that task, let me warn him that it is likely that his efforts will meet with the same failure as attended their efforts. No doubt the result of the inquiry of the Commissioners is looked upon as a great monument of learning and industry, but their Bill has not passed into law, it has not been found to meet the practical necessities of the community. Now I come to the other part of the Bill, which deals with the 7th section of the Act of 1875. In 1875, it is important to remember, you had, as it has been said, a Tory Government in Office, and measures were passed of great importance to the working classes, and, so far as I know, from 1875 to the present time there has arisen no difficulty until quite recently in the administration of the law. My hon. and learned Friend wants to go back to the law of 1871. Now, in reference to the operation of the Act of 1875, allow me to refer to a work of great interest by the hon. Member for Bethnal Green (Mr. Howell)—*Conflicts of Capital and Labour.* In this he says—

> "The legislation of 1875 has produced the happiest results in the interests of law and order, for a good deal of the irritation of the past was caused by the repressive laws by which workmen were tried and punished."

Now I desire to preserve the beneficial legislation of 1875, but my hon. and learned Friend desires to go back to that of 1871—["No, no!"]—I understand him to say his definition comes from the Act of 1871, and I also know what that Act contains, and that his definition does come from that Act. Now, not only does the hon. Member for Bethnal Green bear testimony to the admirable results of the Act of 1875, but like testimony comes from the Labour Correspondent of the Board of Trade. In his Report on the labour disputes of 1888, issued in 1889, he says—

> "Really the Act of 1875 conceded all for which workmen had so long contended, and since it came into operation there have been few complaints as to its interpretation by the Judges, nor, indeed, have many cases been brought before them."

He then refers to Judgments given by Baron Huddleston at Maidstone, and Baron Bramwell at Manchester, and goes on to say—

> "Since 1875 the industries of the nation have passed through two periods of intense trade depression, during which strikes have been large, prolonged, and frequent. There may have in a few instances been breaches of the law, but there has been no approach whatever to the secrecy and violence of the time when the Combination Laws were still in force.

> Workmen are now better educated and intelligent than they used to be. The laws affecting strikes are much simpler and better known than they were a generation ago. Comparatively short enactments now show how strikes may legally be entered upon, and how, having been commenced, they may be conducted without infringement of the law. With increased liberty has come increased knowledge, and growing wisdom attends on both."

Now, I submit this testimony is enough to show that the law of 1875 has been sufficient, that it has been satisfactory to the working classes of this country, and until two recent decisions there was no complaint of this Act. Why alter this beneficial state of things I want to know? I gather from what has been said the only reason proposed for alteration is, that two Recorders have taken a view of the law which has surprised many of those who have given attention to these matters. Now, I do not wish to speak with any disrespect of the Judgments of Recorders; but the Legislature is not in the habit of altering a law until well satisfied that the alteration is required. Suppose, in giving judgment, a Judge of the Superior Court granted a case for a Court of Criminal Appeal, would you have us legislate in reference to that case before the Court of Criminal Appeal could give its decision? That is what we are asked to do now. I confess I never heard of the Newcastle Judgment until now; but the decision of the Recorder of Plymouth we have all heard of, and that Judgment is under appeal. Well, if the only reason for altering the law is that the Recorder of Plymouth has given a Judgment which has occasioned much surprise, and which, I understand, the hon. Member for Wansbeck (Mr. Fenwick) firmly believes—and he may be justified in his belief for all I know—will be reversed; why before the decision of the Appeal Court is given proceed to alter the law? I submit it is not the ordinary way in which this House proceeds, to alter a law pending an appeal to a Superior Court, especially an Act which over many years and during many strikes has never until now been called in question. I certainly think it is undesirable for this House at any time to criticise judicial decisions. We are not a Court of Appeal and, when a Judgment is under appeal it is an extremely inconvenient course for this House to attempt to anticipate the ultimate decision. At the best we have a very imperfect knowledge of the facts, and the House will be departing from its proper province in attempting to constitute itself a Court of Appeal for the review of judicial decisions. It is said you should not make intimidation a crime unless, as I understand, that intimidation is of such a character as to put a person in bodily fear. Now, I do not see the reason of that. If you protect a man against threats of bodily violence; if you protect him against kicks and cuffs, why should you refuse to protect him against other and far more serious forms of intimidation? I do not think that is consistent with the view of those who understand Trades Unionism. Let me quote again from the hon. Member for Bethnal Green—

> "This view was ultimately adopted by the Legislature in 1875 by the repeal of the Criminal Law Amendment Act, which was a special enactment against a class, and by the institution of a law general in its character. . . The Legislature in this case was but fulfilling one of its most obvious functions, namely, providing for the liberty and freedom of every individual in the State, and the prevention of every species of molestation and tyranny in so far as it is possible to do so by Act of Parliament. Every right-thinking man, whatever his political or social creed, will aid in maintaining such laws against the lawless few who might seek to evade them."

I do not believe that Trades Unions want to intimidate by any means. They are opposed to every species of molestation and tyranny. I do not think there is any ground for suggesting that Trades Unions wish to intimidate by other means than personal violence; it is a slur upon Trades Unions to suggest it. Remember there are two kinds of Trades Unions—that with which we have been long acquainted, where men combine lawfully together to get the best price they can for their labour; and then there is another form of Union with which we are beginning to be acquainted, a combination and organisation of employers. There is the same law for both.

There is the same law for the servant as for the master; and if these syndicates of masters intimidate, I am sure it will not be by threats of personal violence but by intimidation, more extensive in its operation and more effectual to effect its purpose, and I say in the interests of the men that it would be dangerous to their freedom to abolish the law which now gives them protection against the possible intimidation of the great unions of capitalists, which are now springing up and which may exercise such enormous power. I believe that the alteration suggested will not advance the interests of any class, but that it will produce such confusion in the law that no one will benefit by the change. I move that the Bill be read a second time this day six months.

Amendment proposed, to leave out the word "now," and at the end of the Question, to add the words "upon this day six months."—(*Mr. Bruce.*)

Question proposed, "That the word 'now' stand part of the Question."

*(4.2.) MR. DARLING (Deptford): I beg to second the Amendment that the Bill be read a second time this day six months. I think that a mistake will be made if, upon the 3rd clause of this Bill, too much stress is laid on Trade Unions and the law regarding them. The 3rd clause of the Bill does not affect Trade Unions in any degree whatever. Hon. Members who represent the Trade Unions in this House have nothing to do so far as they represent Trade Unions, with the change in the law proposed by the 3rd clause. They have nothing to complain of, therefore, in what the law has given them by Statute. They would not have complained for themselves in any way had it not been for a recent decision, which it is not yet certain will be upheld. The Law of Conspiracy has been modified in their favour, and with that modification they are entirely satisfied, except with regard to a point raised by a later clause of the Bill. The hon. Member who has moved the Bill asks why other people should not be put in precisely the same position as persons who are engaged in carrying on a Trade Union, and who have been exempted from the ordinary Law of Conspiracy by Act of Parliament. The first reason why the Legislature in 1871 and 1875 interfered specially by name on behalf of those who conduct Trade Unions is because up to that time Trade Unions and those who joined them had not been treated by the Legislature with anything like the same indulgence as other people had been treated. Since the time of Edward III. there have been special Statutes aimed against combinations of workmen, even preventing them from leaving the parishes in which they lived, in order to seek for work elsewhere. Parliament from time to time had to consider the violence and the riots which were brought about owing to the pressure of this law on the working classes: and the question was first fully dealt with in consequence of a Bill introduced by Joseph Hume in 1824—a Bill and an occasion, which I venture to say even the right hon. Gentleman the Member for Mid Lothian (Mr. W. E. Gladstone) will hardly recall. That Bill was referred to a Select Committee, and their Report was the foundation of the legislation which has since been initiated. But the House has always, down to the Act of 1875, taken care to guard the concession made to the working classes by special provisions and restrictions, against one of which, as interpreted by Mr. Bompas, this Bill is now directed. The Bill, in the first instance, proposes to sweep away any kind of restriction which may at present remain in the Law of Conspiracy—to say, practically, that conspiracy is favoured by the Legislature—that we hope to see more of it, that it may permeate unrestricted through all classes and sections of English society. What does this Bill propose? Why, that any act committed by two or more persons which would not be a crime if committed by one person should not be punishable as a crime. You are to be allowed not only to do anything that is not punishable as a crime, but you are to have the right—no matter whether for the advancement of your own trade or not, and no matter whether to gratify private malice or not—to combine to do anything for which one person could not be punished as a criminal. How would hon. Members who represent the

special interests of the working classes like this? Twenty, fifty, or a hundred persons might combine together to slander a man as to his skill as a workman. They might combine together purposely to ruin a man by going about from office to office in a town such as Sheffield, and slandering a workman with the view of preventing his getting employment. So long as those persons do not write down their slander they would, under the Bill, be safe, and by it such slander would be legalised. Does the House desire that kind of thing? Is it so admirable from any point of view that persons should be able to go about, and by oral slander with respect to a man in his business prevent him from being able to get work? Does the House wish to interfere so that this may be done with impunity? Beyond this, there are cases where the law interferes to preserve public order and decorum. It is not an offence for a person to go to a place of worship and sneeze and cough, but if a number of persons were to organise themselves into a body and go to a church and behave in a similar manner the law can step in and punish them. If this Bill were passed, however, the House might go in sections to its least favourite place of worship, and it might evince all those tokens of disapprobation without liability to punishment. In the interests of civil and religious liberty is it desirable to pass a Bill for that object? Is it right that people who object to religious services of a particular class should be able to combine together by noises to interrupt them? Is it to legalise that that it is sought to pass this Bill? What is it this Bill is really intended to do—and that has been kept quietly in the back ground? The hon. Member who introduced the Bill slipped out a word about "Resident Magistrates," and then took credit for not having referred to Ireland. Why is it proposed to pass this Bill? Is it the intention of the supporters of the Bill to make it legal to boycott the cattle of Irish farmers when they arrive at Liverpool? Though lately a good many complaints about certain Judgments have been made, no complaint has been made of the Judgment given with regard to the case of the two conspirators who followed a farmer to Liverpool from Ireland, and openly warned people in the market-place not to buy his cattle. Even right hon. Gentlemen on the Front Opposition Bench ought to feel it a matter for congratulation that the law of England has proved strong enough to reach this case and to enable an Irish farmer to get the best price for his cattle. No friend of the Irish tenantry would wish to see a man compelled to sell his cattle for £10 when he can get £12 for them if unmolested. Yet, if the Bill before the House becomes law, the Irish conspirator will be able to follow the cattle dealer to England, and will be able to warn people with impunity not to buy his cattle, and yet cannot be convicted of conspiracy. I am not going into the question of what the effect of the Bill would be in Ireland, but as to its effect in England. I challenge the hon. and learned Member for Hackney (Sir C. Russell) to say that this will not be the case. In fact, this is the very contemplated and purposed effect on the Bill. I venture to say that the reason why Ireland was not alluded to was that it was hoped that this afternoon we should be apt to forget this. Is what I have pointed out a result which it is so desirable to produce in this country that the House should be asked to pass the Bill? Who complains of the Law of Conspiracy? Is there a decent, respectable man in the country upon whom it presses? What do men want to do that they may not already do without the measure before the House? It is true that people are not allowed to prevent a man from getting the best price possible for his cattle; but they ought not to be allowed to prevent him. I ask myself, should I oppose this Bill or not? If it only contained this one clause, I should feel myself bound to oppose it. If it did not contain more than the one clause, I do not think it would receive the support of hon. Gentlemen opposite who represent the labour classes. They see what the effect of it would be and how it would press on legitimate business, and, I believe that, actuated as they are by the love of freedom, if it did not contain more, they would vote against it. And now, I come to Clause 4, and it is here that the interest of the Bill centres for Trade Unionists. The hon. Member for Dundee complains that the law of conspiracy wants altering because it is vague. I like it for its vagueness. [*Opposition cheers.*] Yes, and I will tell you why. The Legislature, with all your ingenuity, with all your pens, ink, and paper, with all the assistance you may have got from Sir FitzJames Stephen and Sir John Holker, can never be a match for the criminal classes in the matter of definitions. You can never make definitions which will catch all criminals. As soon as you have made a definition it is the business of the criminal to evade it and to make a new crime. Men know, roughly, what they may do and what they may not do —what they ought to do and what they ought not to do—but try to put into an Act of Parliament every conceivable thing that a man ought not to do and you will find you still have left hundreds and thousands of cases outside the Act. As it stands the Law of Conspiracy is consonant with justice, and no single instance has been adduced in which a prosecution under that law has worked any injustice whatever. I have not heard that there has been any attempt to show that the Law of Conspiracy has convicted anyone who ought not to have been convicted, and if that law ought not to be altered let us see if this Clause 4 is one that should be passed. It was introduced admittedly because of a certain decision, given by Mr. Bompas, in regard to the word "intimidation" in the Trade Unions' Act, 1875. It is said that the law wants altering, because Mr. Bompas has held that for men who belong to a Union to go to the master who has other men in his employ who do not belong to the Union and tell him that if he does not discharge those men—and discharge them before his contract with them has terminated — they, the Union men, will turn out, is to commit an act of intimidation. Mr. Bompas may be right or he may be wrong. I have looked into the matter, and I cannot find that intimidation is anywhere defined in the law. It is proposed to define intimidation as—

> "Only such intimidation as would justify a a Justice of the Peace on complaint made to him in binding over the person so intimidating to keep the peace."

I cannot find in the law that a Justice

Mr. Darling

of the Peace may bind a person over for intimidation at all. The clause in his Commission of the Peace merely gives the power to bind over in cases of threatened personal violence or threatened burning of houses. The Act of 1871 limited the intimidation for which a person could be bound over to keep the peace before a magistrate, but the words used were unscientific, and nowhere in the Commission of the Peace will you find power to bind over for intimidation in those terms. Why a man's house should have been particularly selected I do not know, as the house a man lives in may not be his own, or may be insured, and I can conceive of nothing more calculated to aggravate the British *bourgeois* than interference with his business. The hon. Member for the Wansbeck Division said the Unions do not call on any one to do what is illegal. The hon. Member for the Wansbeck Division (Mr. Fenwick) has said that the Trade Union in the Plymouth case did not call upon the men to do what was illegal, and he further stated that—

> "If the Union had called on the men to do what was illegal, then the Unionists would concur in Mr. Bompas' decision.

Does he really mean to say that if the men were called on to do what was illegal the Trades Unions would not concur in that, or would they approve of the Trade Union calling on the men to do what was illegal?

*MR. FENWICK: I said nothing of the kind. What I said was that if the charge had been one of breach of contract I would myself have concluded that that charge would have been sustained, and justly sustained, against the men.

*MR. DARLING: I am obliged to the hon. Member. That will answer my purpose equally well. Mr. Bompas, in giving judgment, on p. 7 of that Judgment used these words—

> "Now it is hardly disputed that in calling upon the Union men to come out before their contracts had expired they were acting illegally."

Now, to call on the men to come out before their contracts had expired was to call on the men to break their contracts. Mr. Bompas finds as a fact that the Union did call on the men to break their contract, and the hon. Member for the Wansbeck Division has told us that if the Union did call on the men to break their contracts, even Trade Unionists would say that that conduct was not to be approved of.

*MR. FENWICK: Will the hon. Member read the next sentence in Mr. Bompas' statement?

*MR. DARLING: Yes. Mr. Bompas said—

> "Now it is hardly disputed that in calling on the Union men to come out before their contract had expired they were acting illegally. This was decided in the case of Lumley *v.* Gay and Bowen *v.* Hall, and I think on this ground the conviction must be upheld. But if I rested my decision upon this alone it would be of little service as a guide to the future conduct of the parties, since the defendant's objects would have been equally obtained by inducing the members of the Unions not to work for Mr. Treleaven in the future after the unloading of the vessels in port had been completed."

*MR. FENWICK: Hear, hear.

*MR. DARLING: The hon. Member cheers that, I hope he will be equally gratified at what I am going to say next. Mr. Bompas says in effect—"On that ground I affirm the conviction, namely, that the intimidation is wide enough to cover the inducing the men to break their contract before it was finished, and to leave their employment at the beck of the person who so induced them." I must say that down to this point it seems to me probable that Mr. Bompas' Judgment is good. But Mr. Bompas goes on to say—"It would be of little good to Trades Unionists if I did not go further." And he proceeds to hold—"That if they had only tried by calling out the Union men to get the employer to promise not to employ Trades Unionists in the future that also would have been intimidation." Now, I do not think it would, and with the rest of Mr. Bompas' remarks I cannot concur. Of course it matters little whether I concur or not, but perhaps it does matter, when I find that the hon. Member opposite and myself are at one in thinking that the Unionists convicted by Mr. Bompas on this state of facts ought to have been so convicted, because the hon. Member has said that if the Unionists had tried to make the master break the contract they would have done wrong. Well, Sir, Mr. Bompas convicted them of that, and although my approval of Mr. Bompas' action in this respect is immaterial, the approval of the hon. Gentlemen opposite is of much importance.

*MR. FENWICK: I do not like to interrupt the hon. Member, but I must repudiate the attempts he is making to put into my mouth words which I never used. What I did say was that I claimed that the men had a legal right in their Union to use arguments and moral suasion to induce the employer to discharge the non-Union men, always assuming that they kept within the legality of their contracts.

*MR. DARLING: What I am trying to point out is that they did not keep within their contract. Mr. Treleaven engaged certain men to unload certain vessels for which he would pay them when the work was done. The contract was not concluded until the vessel was unloaded. Before it was unloaded certain men came and said to him, break your contract and discharge the non-Union men, do not let them unload the ships, but send them away, if you do not, our Union men will leave work before their contract is fulfilled. Mr. Bompas finds that they did this, and he also finds that if they had endeavoured to induce the master to discharge the men after the contract was completed that would have been intimidation. I do not agree with Mr. Bompas in that. I need not give my reasons for this, but I do not concur with him. I think that if Mr. Bompas were right on the latter point the liberty given to the Trades Unions by the Acts of 1871 and 1875 would to a large extent be taken away from them, and I do not think the Legislature contemplated such a state of things when those Acts were passed. Nor do I think that the whole course of conduct, and the course of public opinion and feeling since those Acts were passed would have been what they have been, and still are, if that were so. Therefore, I say, that even if Mr. Bompas is right down to the point of the conviction of these men, I do think he was right in *obiter dicta* which he proceeded to enunciate from that point. This is all that I desire to say. It does not seem to me that the change proposed by this Bill is necessary. Mr. Bompas has not held what hon. Members seems to think he has held, that the refusal to work in the future with non-union men comes within the definition of intimidation at all.

*MR. FENWICK: Yes, he does.

*MR. DARLING: I do not think so, and I say this, speaking as a lawyer, that, after the point on which he convicted the defendants, all Mr. Bompas says is not to be regarded as judicial decision, but as mere *obiter dicta.*

*MR. FENWICK: Will the hon. Member allow me to put this point. Mr. Bompas distinctly says he is of opinion that a strike of members of a Trades Union for the purpose of increasing their wages or altering the conditions of their employment is legal, unless accompanied by violence or intimidation—

> "But that a strike for the purpose of compelling employers not to employ other persons, or to alter the terms of the employment of such other persons, is illegal."

*MR. DARLING: No doubt this is what Mr. Bompas said after he had given his decision on the facts of the case. But he went on to add, what I think was very foolish, namely, to advise the men as to what they should do in the future, which might very well have been left to the Bishops and Clergy of all denominations. This is what we lawyers call *obiter dicta* when in the Courts, but in the privacy of our chambers we sometimes call it nonsense.

I certainly can see no reason for inserting this clause for the protection of Trades Unions merely because of an incorrect interpretation on a particular point. Therefore, I shall not vote for this clause in the interests of Trades Unions, because I do not think those interests are affected in any way. Nor shall I vote for it in the interests of the boycotters of Liverpool and Manchester. I have no doubt that those boycotters are interested in this matter. No doubt the freedom to injure anybody is exceedingly dear to them; but, at the same time, the right of a man to do what he likes with his own property is of some value, even to an Irish cattle-dealer; and I am not inclined to assist in giving greater facilities for boycotting than exist at the present moment. I do not feel inclined to enlarge the existing opportunities for boycotting, nor to help that work in this country. If we did this, and so enlarged the area of crime, we should have to appoint additional Magistrates in different parts of the kingdom, and, as I am not inclined to alter the law of England for the sake of the boycotters of Ireland, I say that, in the interests of Trades Unions and of all who are not boycotters or patriots by profession, I offer my strenuous opposition to this Bill.

(4.45.) SIR W. HARCOURT (Derby): I will not follow the example of the hon. and learned Gentleman who has just sat down, at all events, in the length of the speech he has delivered. I do not propose to argue this question at any length. What is far more important to the people affected by this question is to know what Her Majesty's Government are going to do. This is probably a question which more largely affects the masses of the population of this country — every class of it, and not merely Trades Unions alone — than any question that has been brought forward in this House. The material point to ascertain is what course the responsible Government are going to take. There are only two points in the speech of the hon. and learned Gentleman of which I shall have to take notice. First, he talked of the boycotters in Liverpool. There is nothing in this Bill which will touch the question. The Act of 1875, so far as it was used as the basis of those convictions, will remain unaltered; that I will confidently assert. I understand these convictions were upon provisions which are not altered in this Bill. That is a complete answer to the hon. and learned Gentleman's first point. Now the hon. and learned Gentleman endeavoured to get my hon. and learned Friend behind me into a sort of trap on the question of breach of contract. I am here to affirm that the question of breach of contract makes no difference whatever. I will read from the authority of one who, in former days, was my learned Friend and colleague when we fought together the Bill of 1875—my friend, Mr. Wright, who, I am happy to say, is now placed in a position he so well deserves to possess. He says—

> "Agreement for breaches of contract for services in cases to which no penalty can apply seem never to have been determined to be criminal."

The true distinction is this: an Agreement for breach of contract is not punishable unless the breach of contract itself is criminally punishable. Take an example. If a family induce a man to break off a contract of marriage, is that a criminal conspiracy? If the son or the daughter is going to make a marriage they do not approve of, and the father and mother and brothers and sisters stand under an agreement to boycott, if you like, the son or daughter, if he or she make the marriage, is there any one so absurd as to say that the combination is a criminal conspiracy? The true distinction is that unless the breach of contract is in itself criminal, the agreement is nothing of the kind. Now here is an indictment brought before the Queen's Bench, one of the counts of which is—

> "By divers subtle means and devices, and wicked arts and practices to injure and oppress R.P. and G.P. in their business as manufacturers, and to induce the workmen of R.P. and G.P. to stop their work with R.P. and G.P., before the period of their agreement with R.P. and G.P. is completed,"

and the Court of Queen's Bench would not sustain that count. That disposes of the argument of the hon. and learned Gentleman, on which he wasted so much time, as to the question of agreement to act. These seem to me to be the only two points raised in either of the speeches against this Bill. Now, I think I can in a very few minutes sum up all the questions I want to put to Her Majesty's Government. This Bill has several objects. To my mind, the main and most useful is to abolish the Common Law of Conspiracy, and to substitute for it a definite Statute Law of Conspiracy, so that every man may know what is and what is not an offence under the name of conspiracy. There is no head of Common Law which has been so abused as the Law of Conspiracy. It was hardly heard of, for the purposes for which it has recently been used, until the end of the last century. And then the Judges began to import their own social and political notions, and to declare that about conspiracy which they thought to be inconvenient and wrong; and so this dangerous and vague law. The hon. and learned Gentleman says he likes the vagueness of the Law of Conspiracy. That is a very good and profitable doctrine for the lawyer, but it is a very bad doctrine for the subject, who likes the law not to be vague but to be clear and distinct, that he may not be caught in this net of conspiracy. Therefore, I plead the cause of the people of this country against the hon. Member, who wishes to bring them all under the harrow of this vague law. And if there ever was a reason for carrying on this Bill it is the argument of the hon. and learned Gentleman for Deptford. This is the first question we have to ask Her Majesty's Government, Their predecessors in the year 1879-80 adopted the Report of the learned Judges of that time. A gentleman we all remember with respect, Sir John Holker, introduced a Bill, of which the 6th, almost the earliest clause, contained the declaration that there should no longer be any Common Law of Conspiracy in this country. It used the words, "shall not be proceeded against in England at Common Law." That was the basis of the Code. It then proceeded to reserve certain heads in which the Law of Conspiracy could subsist, and in which it was defined. My hon. and learned Friend in his Bill has reserved every one of those heads, and every head of conspiracy reserved in the Code is reserved in this Bill. The hon. and learned Member (Mr. Bruce) read the article on the subject of breach of the peace and sedition. That is expressly reserved in this Bill, and it will remain exactly as it is now. And so with every head of the Law of Conspiracy which the Commission thought ought to be reserved. We leave the whole law in that respect untouched. I ask the Government are they going to depart from the principles which they adopted in 1880? If so, why? We must have an answer to that question. I now come to the Act of 1875, for the protection of Trades Unions. This Bill proposes a certain alteration in that Act, not because we desire to pass from any doctrine that a Tory Government professed, but because we wish to restore the Act of 1875 to the condition in which it was introduced by Sir Richard Cross, in which it was supported by the Tory Government, and in which it was, according to the unhappy tradition of this country, mutilated and destroyed by the House of Lords. It was against the will of the House, and even a Tory Government, that the House of Lords set to work to mutilate the Trades Union Bill of 1875. My right hon. and learned Friend the Member for Bury, forseeing the use that would be made of that mutilation, protested against the Amendments of the House of Lords. He was supported by my right hon. Friend the Member for Rossendale. Ah! they are not here to-night to support this Bill. Their sympathy for these questions has disappeared with other things. If they were here to-night I should ask them to do as they did on the 6th of August, 1875, that is, to restore the Act of 1875 into the position in which it was when introduced first by the Tory Government, and before it was mutilated in the House of Lords. Now, that is my second question. I ask you, firstly: Why did you not act on the principle of your own Code? Secondly, why will you not amend the Act of 1875 and bring it back exactly to the condition in which it was introduced and carried through this House? Then, with reference to this judgment of Mr. Bompas. On all points I think that judgment was wrong, and it could not have been passed had not the Act of 1875 been mutilated by the House of Lords. The judgment of Mr. Bompas is a direct consequence of the mutilation by the House of Lords of the Act of 1875, and of the Tory Government acquiescing in the mutilation without protest. I have risen to put these questions to the Government, and I ask them what course they intend to take? The Bill is founded in every part on a principle to which the Government have themselves been parties, founded on their own code, in respect to the application of the Common Law of conspiracy; it saves all that the Code saves, it replaces the law as they said it ought to be, and as it would have been in the original Bill of 1875. I cannot help hoping the Government will accept the Second Reading, leaving oversights to be remedied in Committee. It is a matter of immense importance. I will venture to say it more largely affects the interests of masses of people of all classes than any that could be brought forward.

*(5.1.) THE SOLICITOR GENERAL (Sir E. CLARKE, Plymouth): I do not deny the interest of the subject to which the Bill refers, and am aware of its importance, but I do deny that it has any such dimensions and importance in its results as the right hon. Gentleman has suggested. We did not need the solemn tone of exhortation adopted by the right hon. Gentleman to give our advice to the House that the Second Reading of this Bill should not be accepted I will discuss it at no great length, but with the respect due to the views expressed, and the arguments used in its favour. First,

I wish to point out to the House that there are two separate and distinct questions raised by the Bill, and the question in which Trade Unions are deeply interested, is dealt with in the fourth clause. The rest of the Bill does not refer to or interest Trade Unions at all, because it proposes to deal with a law from which, so far as their action in trade disputes is concerned, they are completely exempted by the Act of 1875. The question of conspiracy dealt with in other clauses is one as to the importance of which I shall say a word presently, but I should like at once and finally to get rid of the question of the interest that Trades Unions have in the Bill, and to point out why it is unreasonable to ask the House of Commons to accept this fourth clause. The Act of 1875 has now been in operation for 15 years, and from 1875 until a few months ago there has been no decision of which the Trade Unionists have anything to complain. If hon. Gentlemen below the Gangway opposite had had to speak in September last year of the administration of the Act they would have had no fault to find. There is no single decision to be found from 1875 until November 1890 of which Trades Unionists in the country have any reason to complain, nor has there been any challenge in this House or elsewhere, so far as I am aware, of decisions given under that Act. Two recent decisions have no doubt attracted a good deal of attention in Trade Union circles —the decision of Judge Digby Seymour in November and the decision of the Recorder of Plymouth in the early part of the present month. There is much force in the observations of the hon. Member for Deptford with regard to the latter judgment; but that judgment ought not now to be discussed. I express no opinion on that judgment for this reason—the learned Recorder has granted a case, and the judgment will come up for review before a superior tribunal. What the decision of the superior tribunal may be I will not pretend to forecast. The right hon. Gentleman has ventured to say the judgment was wrong throughout. Well, Sir, by and bye a decision of the High Court will be pronounced upon it, and if the decision should be against the judgment from end to end, we will then congratulate the right hon. Gentleman on the unepxected accuracy of his law.

SIR W. HARCOURT: When I said the Judgment was wrong from beginning to end, I said it was wrong according to those principles upon which we proceeded in 1875, upon principles for which we are arguing the Bill now. I spoke as a Member of the House of Commons. I say the Judgment given is one that ought not to be allowed to prevail, and I spoke in support of a Bill that would make that impossible.

*SIR E. CLARKE: I make no comment on this interruption. As I have said, I feel debarred from debating the accuracy of the Judgment given; but I do say this, that it is not right and fair to the House of Commons when a decision is actually pending as to the meaning of an Act passed 16 years ago, and a question as to its interpretation has only arisen within the last month or two. There is no justification, I say, for a sudden attempt to ask the House of Commons to read a second time a Bill which assumes that the decision given is the correct one. If the decision is incorrect, then it is going to be corrected, and there is no reason for this Bill on the Table; no reason to ask the House of Commons to read a Bill which assumes that the interpretation challenged is the correct one. That is an unreasonable proposal to make. Now, with the other part of the Bill Trades Unionists have no sort of concern. I agree with the right hon. Gentleman that the Law of Conspiracy is an important and interesting matter, but I dissent altogether from the extravagant terms in which he has spoken of its importance. He has referred to it as "more largely affecting the mass of the people of this country of every class, than any other question that can be raised." This is the right hon. Gentleman's estimate of the grievance. Now, I will give him this challenge. No one can produce instances of persons convicted and punished for conspiracy within late years, say since 1875, with regard to whom it can be contended they were not properly punished for the offence committed. That is a large challenge, and I make it broadly. The law has been in a somewhat undefined and doubtful condition, and the hon. Gentleman opposite has read from the well-known book by Mr. Justice Wright some very technical cases in which indictments were preferred — for instance, the Rowlands case in 1851. In that case the charge was intimidating people to induce them to depart from service before the term of their agreement had expired, and it has been said the Court expressed no final Judgment, but these were the 16th, 17th, and 19th counts in a long series of counts, many of which were good, and upon these three it was not necessary that the Court should express its Judgment. So far as the decisions or the Law of Conspiracy have gone, vague and indistinct as it may be in definition, the administration has been useful and effective. I do not know of a case in which a person has been indicted and punished, with regard to whom any Member of this House will contend such person was not a proper object of criminal prosecution. Now, the right hon. Gentleman asks are the Government going back to the provisions of their own Code? It was not the Code of the Government, but a Code proposed by the Commissioners. I know my dear friend the late Sir John Holker had accepted that Code and was anxious to pass it into law, but there is a difference between the proposal made by the Commissioners and the proposal now made. No doubt the Commissioners who inquired into this subject reported that it was unwise to leave the Law of Conspiracy undefined, and they proceeded to substitute for the undefined Common Law of Conspiracy a certain number of sections of a proposed Code. I am bound to say I do not think these sections were a sufficient substitute, and I think the provisions of the Code would have to be considerably enlarged before the law would be adequate to the many useful purposes it was intended to serve. The hon. and learned Gentleman says the main and most important object of his Bill is to abolish the Common Law of Conspiracy, and substitute for it defined and explicit provisions. But this Bill does nothing of the kind. So far from abolishing the Common Law of Conspiracy, the Bill leaves the law untouched in regard to large and undefined areas of the Criminal Law. It provides that—

> "Nothing in this Act shall affect the law relating to riot, unlawful assembly, breach of the peace, or sedition, or any offence against the State or the Sovereign, or to conspiracies to bring false accusations, conspiracies to pervert justice, conspiracies to defile women, conspiracies to defraud, or conspiracies to prevent by force the collection of rates and taxes."

But each of these conspiracies is left undefined, and therefore it is that I assert that this Bill proposes to leave large, undefined areas untouched. I think I have shown that we are not going back from the decision of the Government of 1880. We are not departing from their proposals with regard to a Code. I confess that to me the attractions of codification grow less as years go on. When one is young there is a great fascination in the vision of a complete code where everything is comprehensively set down and which people may readily read and easily understand, but as time goes on one finds that there are not only great difficulties about the process of codification, but one has reason to see in the experience of other countries grave reason to doubt whether the codification of the law is of great advantage to a country. I do not say that I have abandoned my idea that branches of the law should from time to time be codified, but it is a disputable point whether it is desirable to codify the law with regard to all offences, and there is a great deal to be said in favour of the proposition that the uncertainty of the Law of Conspiracy is in itself useful in deterring people from doing that which is injurious to their fellows. If any definition of indictable conspiracy is to be given it should be much larger than that in the code of 1879. If there is an intention to do an injury to a person, and combined action for the purpose of carrying that intention into effect, then, in whatever form, and for whatever purpose, the injury is intended to be inflicted, I think that should constitute a criminal offence and be punishable as such. Whether that be too large a definition or not, the one advantage of codification, if it is to be of popular benefit, is absent from this Bill. The question raised by my hon. and learned Friend the Member for Deptford (Mr. Darling) has not been fairly met. He contended that if this Bill passes there would disappear the law which enables the indictment of boycotters of cattle at Liverpool or Manchester. There is no answer to that. You cannot find in any of the excepted cases contained in Clause 3 that which would enable you to apply the law of conspiracy to boycotters, where you find a combined intention and action to prevent a man from freely going about his business and disposing of his goods or labour, or conducting the ordinary business of life. The right hon. Gentleman opposite has endeavoured to put the Government in a dilemma with regard to this matter, by appealing to what took place in 1875 with regard to Trade Unions, and to what took place in 1880 with regard to a Criminal Code, and he concludes that the Government are in a manner pledged to assent to this Bill. It is not a question simply whether it would, or would not, be desirable to substitute for Common Law Conspiracy a series of definitions which would cover the whole of the matters with which we all desire to deal. If the House of Commons were in a position, in regard to business, to make it desirable to do so, and if circumstances had occurred to show that the Common Law was wrested to purposes to which it should not be applied, and used in inflicting penalties on persons who ought not to suffer, there would be good reason to ask the House of Commons to consider and put in force so much of the Code of 1880 as would be applicable to the matter. It is a great advantage to have such carefully considered proposals as are contained in the Code, to refer to them if necessity arises for legislation upon a subject like this. But when we point out that the framework of the Bill is entirely different from what it would be if we were going to substitute the Code for the existing law; when we point out that only part of the Bill deals with the law at present in dispute, and that with regard to the part dealing with the law as to which any acute controversy is raised, the Bill does not afford even the framework of a measure for its Amendment in a proper way, then it is the duty of the Government to ask the House to reject the Second Reading of the Bill. We do ask the House to reject it, upon the ground, first, that there is no mischief under the existing law and its administration that requires the interposition of the House; and, secondly, that if there were such a mischief, and the House desired to interpose, it would be necessary to interpose with a very different measure—a measure containing in itself large and adequate provisions for dealing with the mischief the Criminal Law ought to check. I doubt very much if we were framing such a Bill, and had to deal with the definition of conspiracy, with the sincere desire of making it clear that every combined action with the intention to injure other persons ought to be checked and punished by law. I doubt if we could do that without introducing words so large in defining the crime as would expose us for a very long time, at least until the words received judicial construction, to at least as much doubt and difficulty as it has been suggested exists at the present time. When my hon. and learned Friend (Mr. Darling) spoke of the advantages of vagueness, the right hon. Gentleman opposite, with sarcasm which sounded like a sneer, said that lawyers, of course, liked the law to be vague. Well, it is not the vagueness of the law which causes litigation. If you sought how to reduce into terms and put into sections of a Code the whole Law of Conspiracy as you desire it to exist, and be effectual in this country, you would be compelled to resort to phrases on which no judicial interpretation has ever been put, phrases that would, therefore, involve a long course of judicial interpretation before they could be accepted as satisfying the desire of people to have a clear definition of the law. I hope I have answered the questions put by the right hon. Gentleman. I hope I have given the reasons why we desire the House to refuse a Second Reading to this Bill, I hope the House is satisfied that no real mischief exists the Bill pretends to correct; and that if such mischief were proved to exist, it would have to be met by a very different measure to this.

*(5.26.) SIR CHARLES RUSSELL (Hackney, S.): I regret that there is so short a time left for the debate of the very important questions raised. I regret it for two reasons—first, because I should have desired some opportunity of exposing the fallacies (as I conceive) underlying the speeches made from the opposite side of the House; and, secondly, because, looking to the course which the Government have lately pursued, and especially in reference to their Solicitor General, I am by no means sure that if the Debate were protracted a little longer we might not find the leader of the House assenting to the Second Reading of the Bill. We recollect the course pursued by the Government last Session on the question of Breach of Privilege, and the course taken by them last night, when the Solicitor General was put up to make, and did make, a very effective no-surrender speech. But after he had shown the serious consequences that would flow from the effacement of a Resolution arrived at by this House, we had the leader of the House meekly submitting. The Solicitor General said, or insinuated, that my right hon. Friend was rash or wrong in his statements of law. But I think the Solicitor General, of all men, should be cautious how he indulges in twittings of this kind. I am not aware that my right hon. Friend has been found guilty by the Superior Courts of the land of expressing any legal opinion which has proved to be erroneous, whereas the Solicitor General, on a celebrated occasion in relation to the Licensing Laws, did express an opinion, as many lawyers have in their day, that was found to be not in accordance with law. The Solicitor General has pointed out with considerable force I admit, that there is no definition of the crime of conspiracy in the Bill. That is true; but it is equally true that a step in that direction is taken, because there is a narrowing of the area over which the subject matter of conspiracies can extend.

(5.29.) MR. EDMUND ROBERTSON rose in his place, and claimed to move, "That the Question be now put."

Question, "That the Question be now put," put, and agreed to.

Question put accordingly, "That the word 'now' stand part of the Question."

(5.30.) The House divided:—Ayes 143; Noes 179.—(Div. List, No. 20.)

Words added.

Main Question, as amended, put, and agreed to.

Second Reading put off for six months.

MOTION.

ELECTION (PERSONATION AGENTS) BILL.

On Motion of Mr. Byron Reed, Bill to amend the Law relating to Personation Agents at Elections, ordered to be brought in by Mr. Byron Reed, Mr. Maclean, Mr. Macartney, Mr. Grotrian, Mr. T. W. Russell, Mr. Smith-Barry and Mr. Bruce.

Bill presented, and read first time. [Bill 174.]

House adjourned at a quarter before Six o'clock.

by Contract with H.M.'s Government. An Asterisk at the commencement of a Speech indicates revision by the Member.

HOUSE OF LORDS,

Thursday, 29th January, 1891.

NEW PEER.

The Right Honourable Sir James Hannen, Knight, President of the Probate, Divorce, and Admiralty Division of the High Court of Justice, appointed a Lord of Appeal in Ordinary under the provisions of the Appellate Jurisdiction Act, 1876, with the dignity of a Baron for life by the style and title of Baron Hannen of Burdock in the county of Sussex—Was (in the usual manner) introduced.

ORDNANCE SURVEY OF IRELAND.

QUESTION—OBSERVATIONS.

THE EARL OF BELMORE: My Lords, I beg to ask the noble Viscount the Secretary of State for India the question of which I have given notice, namely, what progress has been made with the Ordnance Survey of Ireland on the 25-inch scale; and whether any particulars with regard to counties can be given concerning it?

THE SECRETARY OF STATE FOR INDIA (Viscount CROSS): My Lords, the information that I have received upon this subject is to the following effect: The Ordnance Survey of Ireland on the 25-inch scale has been in progress in the Counties of Roscommon and Galway. In the County of Roscommon, on the 31st December last, 550 square miles had been surveyed; the manuscript maps for 305 square miles have been prepared, and the maps for 52 square miles have been published. In the County of Galway considerable progress had also been made with the survey. The counties are taken up for survey in the order in which they are required by the Irish Valuation Department.

House adjourned at twenty-five minutes before Five o'clock, till To-morrow, a quarter past Ten o'clock.

HOUSE OF COMMONS,

Thursday, 29th January, 1891.

SELECTION.

Ordered, That the Committee of Selection do consist of Ten Members:—Dr. Cameron, Lord Frederick Cavendish, Mr. Cubitt, Sir Archibald Orr Ewing, Sir Robert Fowler, Mr. Illingworth, Mr. Justin M'Carthy, Sir Hussey Vivian, Mr. Whitbread, and the Chairman of the Select Committee on Standing Orders were accordingly nominated Members of the Committee.—(*Sir John Mowbray.*)

INFECTIOUS DISEASE (NOTIFICATION) ACT, 1889, INFECTIOUS DISEASE (PREVENTION) ACT, 1890, AND PUBLIC HEALTH ACTS AMENDMENT ACT, 1890.

Returns ordered—

"Showing—

(1.) The names and population (1881) of the Sanitary Districts in England and Wales in respect of which the Local Government Board on the 31st day of March, 1891, have received copies of resolutions adopting "The Infectious Disease (Notification) Act, 1889; and the dates on which such resolutions were to take effect; also specifying in any case in which diseases have been added to those notifiable under the Act the names of such diseases and the date at which they became notifiable; also stating the names and population (1881) of the districts in which the notification system is in force under local Acts, specifying the dates of such Acts and the diseases notifiable in each case;

(2.) The names and population (1881) of Sanitary Districts in England and Wales in respect of which the Local Government Board on the 31st day of March, 1891, have received copies of resolutions adopting any portion of "The Infectious Disease (Prevention) Act, 1890;" of the particular sections adopted in each case, and of the dates on which such resolutions were respectively to take effect;

(3.) The names and population (1881) of Sanitary Districts in England and Wales in respect of which the Local Government Board on the 31st day of March, 1891, have received copies of resolutions adopting any portion of "The Public Health Acts Amendment Act, 1890," of the particular parts adopted in each case, and of the dates on which such resolutions were respectively to take effect."—(*Mr. Knowles.*)

ELEMENTARY EDUCATION (SCHEMES OF CHARITY COMMISSIONERS).

Return ordered—

"By Counties, of Schemes made by the Charity Commission since the year 1870, in which Charitable Funds have been applied to Elementary Education, showing:—

1. The Name and Denomination of the School;
2. Date of Foundation of the Endowment;
3. Objects of the Endowment by the Foundation;
4. Date of Scheme of Charity Commission;
5. Application of Endowment under the Scheme, Specifying the Amounts applied to Elementary Education—
   (a) for General Maintenance;
   (b) for Scholarships or Free Education;
   (c) for Buildings;
6. Constitution of Governing Body under the Scheme.—(*Mr. Mundella.*)

ELEMENTARY EDUCATION (SCHEMES OF CHARITY COMMISSIONERS).

Return ordered—

"By Counties, of Schemes for Schools, made by the Charity Commission, since the year 1870, in which Charitable Funds have been applied to Elementary Education, showing—

1. The Name of the School;
2. Date of Foundation of the Endowment;
3. Date of Scheme of Charity Commission;
4. Application of Endowment under the Scheme, specifying the amounts applied to Elementary Education — (a) for General Maintenance; (b) for Scholarships or Free Education; (c) for Buildings;
5. Constitution or Governing Body under the Scheme;
6. The numbers and composition of the Body of Governors."—(*Mr. Mundella.*)

QUESTIONS.

THE DUM DUM MURDER CASE.

MR. CONYBEARE (Cornwall, Camborne): I beg to ask the Under Secretary of State for India whether he proposes to take any and what steps in connection with the Dum Dum murder case, in which the murder of a native, having been proved by the clearest evidence, against a party of English soldiers, and one of them having been found guilty and sentenced by Mr. Justice Norris, the case was subsequently brought under review, and the sentence quashed on the plea of a mere technicality; and whether it is the fact, as stated by Mr. W. S. Caine, in a recent letter from India, that, in the interval, the regiment to which the said soldiers belonged became mutinous, and threatened extreme measures if their comrades were punished for "shooting a nigger"?

SIR G. CAMPBELL (Kirkcaldy, &c.): I beg also to ask the Under Secretary of State for India whether any information has yet been received of any steps taken by the Military Authorities in regard to the state of indiscipline in one of Her Majesty's regiments disclosed in the case in which a party of soldiers at Dum Dum broke out of barracks with their rifles, committed various outrages, fired many shots, killed a native, and came home in the morning in a cart, but in which the regimental authorities failed to identify any of the offenders, and the crimes committed have in consequence remained entirely unpunished?

*THE UNDER SECRETARY OF STATE FOR INDIA (Sir J. GORST, Chatham): The Secretary of State does not propose to take any steps in relation to the Dum Dum murder case. He has no authority to revise or interfere with the decision of the highest judicial tribunal in Bengal. The statement of Mr. Caine is not correctly quoted in the question, but the Secretary of State has no information which corroborates the statement, either as made or as suggested. In reply to the question of the hon. Member for Kirkcaldy (Sir G. Campbell), I have to say that the Military Authorities made a careful inquiry into the alleged disorders, and have taken such steps as they trust will prevent their recurrence.

DR. CLARK (Caithness): Is it true that the sentence was quashed upon a mere technicality?

*SIR J. GORST: I have no information upon that matter at all; but from what I have read of the case I find that Justice Norris, who tried the case originally, was a member of the Court of Appeal, and that he concurred with the Judgment of the Court which quashed the conviction on the ground that the evidence was not sufficiently satisfactory to proceed upon.

THE BOMBAY SALT ACT.

MR. CONYBEARE: I beg to ask the Under Secretary of State for India whether his attention has been drawn to two recent convictions under the new

Bombay Salt Act, in one of which a native woman who was convicted of the charge of manufacturing salt, and punished with a fine of 10 rupees or eight days' imprisonment, had done no more than boil down some salt on which her little child had accidentally upset some water; and in the other of which a native woman, who bought some dirty salt and refined it, was fined 15 rupees with the alternative of 10 days' imprisonment; whether it was proved at the trial that neither of these criminals knew anything about the new Act; how long has the new Act been in force, and what steps have been taken to bring its provisions to the notice of the native population; whether any definition of the manufacture of salt is contained in the Act which would convey to the native mind that such offences as the above are punishable with fine and imprisonment; by what Court, and how constituted, were these sentences imposed; and if he proposes to take any steps with regard to these cases?

*SIR J. GORST: In answering paragraphs 1 and 2 of the hon. Member's question, I have to say that records of judicial proceedings are not furnished officially to the Secretary of State, and the reports he has seen of the two cases referred to do not enable him to answer these two questions fully. The new Act has been in force since June, 1890, but the manufacture of salt has been prohibited in Bombay for many years. The Act was published in the usual way in the vernacular languages of the Presidency. A reference to the Act will show the definition of the manufacture of salt. The provisions relating thereto are such as to make it clear to natives that offences of the kind are punishable with fine and imprisonment. The sentence of the native Magistrate who imposed the fines in the first instance was, as I understand, referred to the High Court by Mr. Woodward, District Magistrate of Kanara, for revision. The High Court reduced one fine from 15 rupees to 8 annas, or one day's imprisonment; and the other from 10 rupees to 1 anna, or one hour's imprisonment. This revision of the original sentences seems satisfactory, and the Secretary of State sees no reason to interfere.

OPIUM TRAFFIC IN INDIA.

MR. MARK STEWART (Kirkcudbrightshire): I beg to ask the Under Secretary of State for India if he will have printed and laid upon the Table the Papers referred to in the following extract from the Report of the Excise Department of Lower Burma for 1886-87, para. 6, page 4:—

> "There was some discussion during the year concerning the principles which should regulate the opium and excise administration. The opinions of selected District Officers were obtained, and towards the close of the year 1886 Sir Charles Bernard submitted to the Government of India a comprehensive Report, with his recommendations for dealing with the several questions involved"?

*SIR J. GORST: The precise Papers described in the hon. Member's question are not in the possession of the Secretary of State, and therefore cannot be laid on the Table. I shall be happy to show the hon. Member a full Report from the Government of India from the Chief Commissioner and Burma officers generally, on the subject, and the Secretary of State's orders thereon. The documents have already been laid on the Table.

MR. MARK STEWART: I beg to ask the Under Secretary of State for India whether the attention of the Indian Government has been called to the following passage contained in the Report of the Excise Department in Burma for 1889-90, para. 6, page 7 (being an extract from the Report of the Commissioner of Irrawaddy), and whether any action has been taken with a view of repressing the illegal practices therein referred to:—

> "Opium legally bought from the Government is illegally sold at a high profit, sent from one district to another, and into the interior, to be retailed in towns and villages by men well known to opium-smokers, and who are, or ought to be, known to the local authorities"?

*SIR J. GORST: The Secretary of State has seen the passage in question. The Burma Authorities are striving to repress illegal traffic in opium. Preventive establishments have recently been strengthened, and the Chief Commissioner has inquired if further establishments are needed. The law on the matter is clear and stringent. It is being, and will be, enforced as far as possible. The hon. Member has omitted the following words from the passage quoted:—"Illicit importation of opium is far less common than it was some years ago."

DUTY ON WINES.

MR. LENG (Dundee): I beg to ask the Chancellor of the Exchequer whether his attention has been called to the fact that there are many costly high-class wines used by connoisseurs and persons in affluent circumstances which escape the extra duty levied since the 25th March, 1888, on sparkling wines; has he any information to show whether the slight addition to the present duty of 6d. per gallon on all German, French, and Colonial wines, in cask and bottle alike, would yield a larger revenue than the exceptional duty on sparkling wines; and whether, in the interests of the Revenue, and for the more equal treatment of consumers and the different branches of the wine trade, he will consider the advisability of replacing the present extra duty on sparkling wines, by a higher duty on all German, French, and Colonial wines?

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): The hon. Member will remember that my original proposal was to put a small tax on all wines, but partly in deference to the consumers of cheaper wines I did not press that proposal, but substituted one on sparkling wines. I would add that the present would be a particularly unpropitious moment to suggest any change in the Wine Duties.

THE EXPLOSIVES ACT.

MR. BURT (Morpeth): I beg to ask the Secretary of State for the Home Department whether his attention has been called to the case of a miner at Burrador Colliery, who was fined 20s. and costs, on 6th December, at the Moot Hall, Newcastle-upon-Tyne, for having in his house 25lbs. of gunpowder; whether he is aware the quantity was 19lbs. when the weight of the box containing the powder was deducted; and whether, inasmuch as the Explosives Act permits a person to have, "for his own use and not for sale," 30lbs. of powder, the conviction was legal; and, if legal, under what section the defendant was convicted?

Sir J. Gorst

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): Yes, Sir; my attention has been called to this case. I understand that, whatever the exact amount of gunpowder was, it was less than the amount authorised by Section 5 of the Act to be kept "for private use and not for sale." The defendant, however, admitted that he did sell some to a fellow-workman. He was not, therefore, within the benefit of the exemption, and his conviction was legal. I have however, under all the circumstances, felt justified in advising the remission of the penalty imposed.

BURGH POLICE AND HEALTH (SCOTLAND) BILL.

MR. WATT (Glasgow, Camlachie): I beg to ask the Lord Advocate whether he is aware of the unanimous wish of the whole Police burghs in Scotland that the Burgh Police and Health (Scotland) Bill should be proceeded with during the present Session; and whether he can now state if it is the intention of Her Majesty's Government to do so?

*THE LORD ADVOCATE (Mr. J. P. B. ROBERTSON, Bute): The hon. Member is not quite correct in saying the wish of these burghs is unanimous in favour of this Bill, as, within the last few days, I received a letter from one of them to an opposite effect. I believe, however, that the wish is general. As regards the second part of the question, I have nothing to add to the answers I gave on 13th February and 5th December, and to the observations of the First Lord of the Treasury on the 9th December of last year, and I have no reason to believe that the position of matters is in any way changed.

THE CHAPEL ROYAL, WHITEHALL.

MR. JAMES (Gateshead): I beg to ask the First Commissioner of Works in whom the property of the furniture, the pews, pulpit, reading desk, organ, &c., of the Chapel Royal, Whitehall, is legally vested; whether they belong to the Crown or to the Government; whether, in the event of the former, and the Chapel being closed, they become, or are likely to become, the perquisites of the Bishop of London, the United Service Institution, the Lord Chamberlain, or any other official; and whether any item of account connected with the

Chapel has ever appeared in the Estimates?

THE FIRST COMMISSIONER OF WORKS (Mr. PLUNKET, Dublin University): All the fittings and furniture of the Chapel Royal, Whitehall, are the property of the Government, and are not and will not become the perquisites of any person. The organ is to be transferred to the Chapel at the Tower, and the other ecclesiastical fittings will, as far as possible, be made use of in other Royal chapels. In 1835 Parliament voted £7,665 for fitting up the Chapel, and the cost of its maintenance has constantly appeared in the Estimates as an item in the Vote for Public Buildings, sub-head B. I may as well add that it is a condition of the grant of the old Banqueting Hall to the Royal United Service Institution that, in the alterations which may be necessary for preparing the building for their purposes, there shall be no material interference with the architecture of the structure, either in the exterior or the interior, and that the fine ceiling with paintings by Rubens shall be specially and carefully maintained, and it will be the business of the Office of Works to see that this condition is faithfully observed.

*MR. MUNDELLA (Sheffield, Brightside): May I ask who is to have the care of the valuable painted ceiling by Rubens?

MR. PLUNKET: The Institution.

POSTAL ARRANGEMENTS AT POLLOKSHIELDS.

MR. JOHN WILSON (Lanark, Govan): I beg to ask the Postmaster General whether he is aware that the recent appointment of a licensed grocer as postmaster of a branch post and telegraph office at Pollokshields, near Glasgow, and the fact that the work of the post office is carried on on the same premises as the licensed grocer's business, have caused grave dissatisfaction in the district; whether he can see his way to give effect to the public feeling in the matter by removing the post office referred to from its present location; and whether he will lay on the Table of the House a Return of all the post offices in Scotland that are carried on on licensed premises?

*THE POSTMASTER GENERAL (Mr. RAIKES, Cambridge University): The hon. Member is probably aware that I have made it a practice not to appoint licensed grocers in Scotland to the situations in question, except in cases where the exigencies of the Service render a departure from the practice necessary. I am aware that the recent appointment of a Receiver at Pollokshields is not considered satisfactory by a certain section of the inhabitants of the district; but, after full consideration of all the circumstances, I have not seen fit to cancel the nomination of Mr. Izat, which was made by the Lords of the Treasury. I have no objection to lay upon the Table such a Return as that described in the last paragraph of the hon. Member's question if desired by the House; but I scarcely think that any useful result would be attained by such a step.

H.M.S. *MOHAWK* AND *SANDFLY*.

MR. GOURLEY (Sunderland): I beg to ask the First Lord of the Admiralty if it is correct that the machinery of the new third-class cruiser *Mohawk*, when recently under trial at Sheerness, was unsatisfactory, and that she broke her port eccentric rod; whether the guns originally fitted on the fore sponsons have been removed and replaced with others of lighter calibre, for the purpose of avoiding the danger attending the plunging of her bows under water; and whether it is correct that vessels of this and the *Sandfly* class are all overweighted, thus limiting the utility of their guns even in a moderate sea?

*THE FIRST LORD OF THE ADMIRALTY (Lord G. HAMILTON, Middlesex, Ealing): The port "eccentric," not "eccentric rod," of Her Majesty's ship *Mohawk* was found cracked at the recent trial underway. This accident was due to an old flaw. The purpose of these trials is to discover such defects as may have escaped observation during repair. No change has been made in the armament. As the result of experience at sea it is not considered that vessels of the *Mohawk* and *Sandfly* classes are overweighted with armament to an extent which limits the utility of their guns in a moderate sea, or prejudices their seaworthiness.

H.M.S. *BARRACOUTA*.

MR. GOURLEY: I beg to ask the First Lord of the Admiralty whether it is true that the repairs and alterations arising out of the defects in the new crusier *Barracouta* have extended over a period of nine months, and that the Admiralty have accepted the ship with a speed, under natural draught, of 13 knots, in place of 16·5 knots, as originally designed and contracted for; if so, whether any, and what, reduction has been obtained from the contract cost; and if, in consequence of the danger attending the working of forced draught to ships and men, the Admiralty intend abandoning the system?

***Lord G. HAMILTON**: With regard to the *Barracouta*, the interval between the time at which she satisfactorily passed her trials and the accident which occurred at her first trials was 11 months. The delay was owing to the Coroner's inquiry after the accident, and to the time required to carry out experiments with boilers of a similar type to those of the *Barracouta*, which resulted in certain alterations being made in her boilers. The *Barracouta's* natural draught trial, as it is termed, developed a horse-power estimated to drive her at 14¾ knots, or a quarter of a knot under the original estimate. It is not intended to abandon forced draught, but only to more strictly regulate and limit its application.

RAILWAYS AND TELEGRAPHIC MESSAGES.

Mr. J. E. ELLIS (Nottingham, Rushcliffe): I beg to ask the Postmaster General whether the judicial decision respecting the railways and telegraphic messages to which he alluded in Committee of Supply 23rd July, 1890, has now been given; and, in that case, what steps he proposes to take to remedy an arrangement which has turned out to be so financially detrimental to the public?

***Mr. RAIKES**: A decision on the question referred to by the hon. Member has not yet been given; but my legal advisers are now preparing some proposals which may, I trust, enable me to take action in the direction which he indicates.

SALE OF OPIUM IN HONG KONG.

Mr. WEBB (Waterford, W.): I beg to ask the Under Secretary of State for the Colonies whether the attention of Her Majesty's Government has been directed to the annual increase of revenue (246,325 dollars on a present total of 477,600) derived from the sale of opium in Hong Kong, as stated in the Report on the Blue Book for 1889; and whether it is contemplated to take any steps to discourage the increased use of opium which such increase of revenue indicates?

The UNDER SECRETARY of STATE for the COLONIES (Baron H. de Worms, Liverpool, East Toxteth): The opium farm at Hong Kong was leased for a period of three years from March, 1889, at 477,600 dollars per annum, as against 182,400 dollars per annum for the preceding three years. The farmer has the sole privilege of preparing opium in Hong Kong, not only for consumption in the Colony, but also for export, and the amount exported to China, Australia, and other places considerably exceeds the amount consumed in the Colony. The Secretary of State has no reason to think that the above-mentioned increase of revenue was due to the increased use of opium by the people of Hong Kong; but it is believed that it was mainly due to the new Opium Ordinance passed in 1887, which had the effect of preventing the smuggling of prepared opium into China.

HACKNEY CARRIAGE STANDS AT THE BRITISH MUSEUM.

Mr. JAMES ROWLANDS (Finsbury, E.): I beg to ask the Secretary of State for the Home Department whether application has been made to the Chief Commissioner of the Metropolitan Police for the appointment of hackney carriage standings near the British Museum; and whether at the present time the Commissioner is prevented from fixing the standings by the 46 Geo. III., c. 134, s. 35; and, if such is the case, whether he will take action to get so much of this Act repealed as interferes with the convenience of the public and the hackney carriage trade?

Mr. MATTHEWS: The answer to the first and second questions of the hon. Member is in the affirmative. The 46 Geo. III., c. 134, was a local and personal Act, under which money was raised for the improvement of Bloomsbury Square by rates levied from the occupiers and owners of houses there; and I do not think it would be reasonable to repeal it without giving those owners and occupiers an opportunity of being heard, and without carefully balancing their claims against the amount of public convenience that might result from the repeal.

MR. J. ROWLANDS: Will the right hon. Gentleman take steps to ascertain the opinion of those interested in the matter?

MR. MATTHEWS: I have no power to do so.

ALLEGED BURIAL SCANDAL AT LLANAHER.

MR. G. OSBORNE MORGAN (Denbighshire, E.): I beg to ask the Secretary of State for the Home Department whether his attention has been called to a report in the *Cambrian News* of 23rd January, of the action taken by the Rev. E. Hughes, Rector of Barmouth, on the occasion of the burial of Mrs. Ellen Parry, an aged widow lady, who had expressed a strong desire to be buried by the side of her late husband in the churchyard of Llanaher (of which the Rector is incumbent), under the provisions of "The Burials Act, 1880," from which it appears that, in consequence of a dispute between the Rector and the executors of the deceased as to the amount of the burial fee payable to him (involving the payment of a contested half-crown), the Rector, in the alleged exercise of his right of control over the churchyard, refused to allow the deceased to be buried by the side of her husband, and directed a grave to be dug for her in a remote part of the churchyard, where suicides and bodies washed up by the sea are usually buried, and

> "That it is understood that the Rector intends to further exercise his right by not allowing any inscription to be put over the grave of the deceased";

whether he is aware that the action of the Rector in availing himself of his right over the churchyard in such a manner has given rise to grave dissatisfaction in the neighbourhood; and whether, if such action be warranted by the strict letter of the law, the Government will give facilities for the passing of a measure which will prevent its recurrence?

MR. LLOYD-GEORGE (Carnarvon, &c.): I beg to ask the Secretary of State for the Home Department whether his attention has been called to the refusal of the Rector of Banmouth (Merionethshire) to grant burial of the remains of a lady parishioner in her husband's grave, and to his assigning for such burial a corner in the churchyard usually reserved for the interment of suicides and of bodies of unknown persons cast upon the shore; whether he is aware that a notice was given by the deceased lady's executors of their intention to avail themselves of the provisions of the Burials Act in favour of Nonconformists; and whether the Government are prepared to bring in a Bill to obviate the recurrence of such incidents?

MR. MATTHEWS: I am informed by the Rector of Barmouth that the grave in question was not the property of the deceased's husband and she had no right of interment there, and it was not, in his opinion, convenient that the deceased lady should be buried in the same grave as her husband, in which there was no receptacle for a second coffin. He accordingly gave instructions for her burial in a place generally used for burying, and not in any sense reserved for suicides and cast-up bodies, but where some of the most respected inhabitants and visitors of the place lie interred. Notice was given, and the funeral conducted, in strict accordance with the Burials Act, 1880. I gather that the Rector took the course he did in the exercise of his discretion as freeholder of the churchyard. I have seen a leading article in the *Cambrian News* commenting on the case in a way not unfavourable to the Rector, and I am not aware whether there is grave dissatisfaction in the neighbourhood. Any friction that may have arisen was not, in my opinion, due to any defect in the law; and I am not prepared to suggest any measure by which such incidents could be prevented.

In reply to a further question by Mr. G. OSBORNE MORGAN,

MR. MATTHEWS said: In the answer I have given to the right hon. Gentleman I have quoted the very words of the Rector.

THE SAMOAN TREATY.

SIR THOMAS ESMONDE (Dublin Co., S.): I beg to ask the Under Secretary of State for Foreign Affairs if the Samoan Treaty has yet been put into force?

The UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir J. Fergusson, Manchester, N.E.): The Chief Justice and the British Land Commissioner have been appointed and have started for Samoa. It is hoped that the High Commissioner for the Western Pacific will shortly be able to issue the necessary regulations for the enforcement of the final Act of the Samoan Conference, so far as British subjects are concerned. The Treaty Powers have agreed upon the nomination of a President of the Municipal Council of Apia.

THE REV. S. W. BAKER.

Sir THOMAS ESMONDE: I beg to ask the Under Secretary of State for the Colonies whether it was upon instructions from the Home Authorities that the High Commissioner of the Western Pacific removed the Rev. S. W. Baker from Tonga, and what were the reasons for his removal?

Baron H. de WORMS: Her Majesty's Government did not direct the High Commissioner to remove Mr. Baker, but fully approved his action in requiring Mr. Baker not to reside in Tonga for a period of two years. The High Commissioner, when on a visit to Tonga last summer, made a careful inquiry into the charges brought against Mr. Baker, and found that he had been the cause of great persecution, oppression, and cruelty, and that his misconduct could only result in civil disturbance. As to Mr. Baker's conduct in the past, I may refer the hon. Baronet to the Report by Sir Charles Mitchell of May 6, 1887, in the Parliamentary Paper, C. 5,106, of July, 1887. At that time Sir Charles Mitchell had great doubts whether he ought not to remove Mr. Baker.

ENGLAND AND PORTUGAL IN AFRICA.

Mr. CONYBEARE (Cornwall, Camborne): I beg to ask the Under Secretary of State for Foreign Affairs, whether the Government have received information that the Charter alleged to have been recently granted by Portugal to the Mozambique Company contains provisions hostile to British interests; and whether, having regard to the fact that the British South Africa Company had secured concessions in Manicaland and the neighbouring territories before the *modus vivendi*, the Government will recognise and secure the recognition of such concessions by Portugal as a basis of any further negotiations with that country?

Sir J. FERGUSSON: We have seen a draft Charter of the Portuguese and Mozambique Company, some of the provisions of which are decidedly unfavourable to British interests. This has been pointed out to the Portuguese Government. We have not been informed that the Charter has been signed. In view of pending negotiations, I am unable to answer the second paragraph of the question.

Mr. LABOUCHERE (Northampton): I beg to ask the Under Secretary of State for Foreign Affairs whether the Secretary of State for Foreign Affairs has received several communications from the Chairman and Secretary of the "Ophir Concessions, Limited," and from Mr. Clements, the representative of the Barberton Syndicate, Transvaal, and from other persons holding contracts from the Mozambique Company, complaining of the action of the Chartered South Africa Company, in regard to the invasion of Manica, as prejudicial to their interests, and to those whom they represent; and, if so, what reply has been made to these communications, and whether he will lay the correspondence upon the Table of the House; whether his attention has been drawn to the fact that, in Blue Book, Africa, No. 2, 1890, Mr. Consul O'Neill advised Her Majesty's Government of the establishment of the Mozambique Company of Lisbon, of their having placed a launch on the Pungue River in July, 1888, and referred to Gonvera as the "virtual ruler" of Manica, under the Portuguese Government; and whether, in any subsequent communication with the Portuguese Government, Her Majesty's Government took exception to the above reported condition of affairs; whether it is correct, as stated in the *Daily News* of 28th January, that early in October, 1890, Mr. Trevor, styled "acting resident" of the Chartered Company at Mutassa Kraal, issued the following instructions to all prospectors working in the neighbourhood:—

> "I have been instructed by Mr. Colquhoun, the Administrator of Mashonaland, to inform you and all the prospectors at the Untali and Revire goldfields that an Anglo-Portuguese

arrangement has been signed which brings all this portion of South-East Africa, including all the Manica country for a considerable distance east of Masi-Kesse, under British influence;"

whether the Chartered Company is now exercising powers of government in Manica, although the alleged Treaty with Mutassa has not yet received the approval of Her Majesty's Secretary of State; and whether he will cause inquiry to be made of the Chartered Company as to whether the concession from Lobengula, in connection with which the Charter was granted, is owned by the company, or if the company is merely a lessee from another company owning the concession, and receives one-half of the possible net profits in consideration of undertaking the obligations set forth in the Charter, and all other expenses connected with the expeditionary force into Mashonaland?

SIR J. FERGUSSON: Communications have been received complaining of the action of the Chartered South Africa Company in regard to Manica, and their receipt has been acknowledged. They represent the views of the writers as interested parties, and it would not be advisable to publish the correspondence. Consul O'Neill, in his Despatches of the 10th and 20th of August and 7th of September, 1888, reported that he had heard as to the attempts of Señor d'Almeida to obtain permission from Gun gun hana for prospectors to work in his territory, and as to the endeavours of Major Paiva d'Andrade to extend by force Portugal's territorial and commercial influence South of the Zambesi. He spoke of the rumoured launch of a steamer on the Pungue, and of the purchase of other steamers, but expressed a doubt as to their destination and as to their being really owned by the Mozambique Company, which had been formed at Lisbon with an insignificant capital. He stated that De Souza, or Gouveia, was "real" Ruler of Manica, and had been induced to lend his assistance to the Portuguese Government in carrying on military operations against other Chiefs. No representations were made by Her Majesty's Government in consequence of this Report. We are not aware if the instruction, said to have been issued by Mr. Colquhoun, and stating that a certain portion of the Manica country and other territories had, by an Anglo Portuguese arrangement, been brought under British influence, was, in fact, issued; but, if so, it was incorrect. The Chartered Company is not, to the knowledge of Her Majesty's Government, exercising powers of government beyond the line referred to in the *modus vivendi*. It has already been stated that Her Majesty's Government are not, and obviously should not be, responsible for the financial arrangement of the British South Africa Company, but the arrangement mentioned in the question, if it exists, would not be contrary to the Charter.

THEATRICAL ENTERTAINMENTS AT WOOLWICH BARRACKS.

MR. PICKERSGILL (Bethnal Green, S.W.): I beg to ask the Secretary of State for War whether he is aware that theatrical entertainments are given at the Recreation Rooms, Woolwich, under the management of Major Jocelyn, R.A., to which a charge for admission is made, as much as £50 being taken on one night; that the bulk of the audience are civilians, who pay for admission, whilst applications from Non-commissioned Officers and men to their Commanding Officers for passes to admit their male friends have been refused, such refusal having been confirmed on appeal by the General Officer Commanding; whether these entertainments are subject to the Queen's Regulations, 1889, Part II., Section XV., Paragraph 75, which runs as follows:—

> "No money wil be taken for admission to such entertainments, and Non-commissioned Officers and men should be permitted to invite their male friends thereto;"

and, if so, whether he will give instructions that this Regulation shall be strictly complied with?

THE FINANCIAL SECRETARY TO THE WAR OFFICE (Mr. BRODRICK, Surrey, Guildford): The facts are as stated in the question, with the exception that the theatre at Woolwich is quite distinct from the Recreation Rooms. When the Regulation quoted by the hon. Member was drafted it was illegal to take money in a regimental theatre if unlicensed. By the Army Annual Act of 1889 the disability was removed, and the Regulations in question should have been altered to accord with the Act of Parliament. The Regulations will be amended forthwith.

THE INTERNATIONAL MARITIME CONFERENCE AT WASHINGTON.

SIR GEORGE BADEN-POWELL (Liverpool, Kirkdale): I beg to ask the Under Secretary of State for Foreign Affairs whether it has been decided to circulate any more Papers recording the proceedings, including the Protocols, of the International Maritime Conference held at Washington last year?

SIR J. FERGUSSON: Yes, Sir; further Papers concerning the International Maritime Conference of last year are in the Press, but they are bulky, and may not be ready for distribution for two or three weeks.

THE SCOTCH RAILWAY STRIKE.

MR. BUCHANAN (Edinburgh, W.): I beg to ask the President of the Board of Trade whether his attention has been drawn to the fact that several accidents have occurred on the Caledonian and North British Railways during the present strike, resulting in loss of life, in at least one case; why no Board of Trade inquiry has been held in any of these cases; and whether, in view of his statement on Friday last that railway accidents that occur during strikes need presumably more careful inquiry than accidents that occur at other times, he will cause an inquiry to be held into the most important of those that have occurred during the last five weeks?

*THE PRESIDENT OF THE BOARD OF TRADE (Sir M. HICKS BEACH, Bristol, W.): There have during the last five weeks been two train accidents, resulting in loss of life, both on the Caledonian. Into one an inquiry was directed some days ago. The other was not of a nature to require an official inquiry. The Returns of the other train accidents not causing loss of life have been carefully examined, but with the exception of two cases of collision with buffer stops, which are still under consideration, they were also not of a nature to require official inquiry.

CHARITIES IN LAMBETH.

MR. MORTON (Peterborough): I beg to ask the hon. Member for Penrith (Mr. J. W. Lowther) whether the attention of the Charity Commissioners has been called to the recent exposures as to the Charities in the parish of Lambeth, as set forth in a Report prepared by Mr. Henry Dann, at the request of the overseers of that parish, and as published in the *South London Press;* whether the Commissioners have been requested to institute an inquiry into the administration of the Lambeth Charities, or any part of them; and whether they are willing to grant such an inquiry, and to consider the advisability of placing the whole of the Lambeth Charities under an Administrative Board representing the whole of the inhabitants of such parish?

MR. J. W. LOWTHER (Cumberland, Penrith): The Commissioners were requested to institute an inquiry into the matters mentioned in Mr. Dann's Report on the Lambeth Charities, or to nominate an accountant by whom such inquiry should be held free of charge to the Charity. The Commissioners accepted the latter alternative, and they believe the inquiry is now in progress. They have long been of opinion that the administration of the Lambeth Charities should be concentrated, as far as possible, in the hands of a single body of Trustees, largely constituted on a representative basis, and they are taking steps to procure the necessary applications enabling them to proceed in this matter.

THE TITHE RENT-CHARGE RECOVERY BILL.

MR. RADCLIFFE COOKE (Newington, W.): I beg to ask the President of the Board of Trade whether the Tithe Rent-Charge Recovery Bill will apply to lands and tenements, the tithes of which have been commuted by any Act of Parliament made before the passing of the Tithe Commutation Act of 1836, in the same manner as such lands and tenements were excluded from the operation of the last-mentioned Act?

*SIR M. HICKS BEACH: I am not quite sure that I understand the question of my hon. Friend; but I may refer him to Sub section 2 of the 4th clause of the Bill for a definition of the expression "tithe rent-charge."

THE HIGHLANDS AND ISLANDS OF SCOTLAND.

MR. WATT: I beg to ask the First Lord of the Treasury whether he can now state the decision of the Government with reference to the recommendations of the Royal Commission appointed to inquire into certain matters affecting the interests of the Western Highlands and Islands of Scotland?

DR. CLARK: I beg, on the same subject, to ask the First Lord of the Treasury whether it is the intention of the Government to adopt any of the schemes proposed by the Royal Commission on the Highlands and Islands; and whether they intend to do anything in reference to the matter during the present Session?

*THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): The Government have come to certain decisions in regard to the First Report of the Royal Commission on the Western Highlands and Islands of Scotland, and are now engaged in the consideration of the Second Report. We shall shortly have to ask the House to provide money to carry out those recommendations of the Commission which the Government has decided to adopt; and I think it advisable to postpone till then any statement of our intentions, as any information which I could give at present would be incomplete, owing to the serious indisposition of the Secretary for Scotland, who has taken the greatest interest in the question, but has been unable to confer with his Colleagues upon the matter since the December Session.

DR. KOCH'S DISCOVERIES.

COLONEL NOLAN: I beg to ask the First Lord of the Treasury would Her Majesty's Government consider the propriety of communicating with other civilised Governments to ascertain if the latter would join in conferring a reasonable pecuniary reward on Dr. Koch, for the eminent services he has rendered to humanity?

DR. TANNER (Cork Co., Mid): Before the First Lord answers the question of my hon. and gallant Friend, I would like to ask him whether he has also taken into account the extraordinary percentage of deaths that have occurred in connection with this alleged discovery?

*MR. W. H. SMITH: I am sure the hon. Gentleman will not expect me to express an opinion on that subject. For myself, I thoroughly appreciate the generous instincts which have prompted the hon. and gallant Gentleman to put this question; but without in the slightest degree depreciating the very great services to humanity which have been rendered by Dr. Koch, it must be admitted he does not stand alone as a learned, patient, and laborious investigator of the resources of nature for the benefit of mankind. His great reward is the evident appreciation of the value of his work by his own profession in all parts of the world, and the sense of the benefits he has conferred upon his fellow-creatures. I do not think any action of Her Majesty's Government could really add to the satisfaction Dr. Koch must feel at the reception given by the civilised world to his discovery, and perhaps I may be excused for hesitating to add a new function to the responsibilities of Government.

DISTRICT COUNCILS BILL.

MR. COBB (Warwick, S.E., Rugby): May I ask the President of the Local Government Board if it is intended to take the District Councils Bill before Easter?

*THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE, Tower Hamlets, St. George's): That will depend entirely upon the course of Public Business.

ADMINISTRATION OF THE CRIMES ACT IN IRELAND.

MR. J. MORLEY (Newcastle-upon Tyne): May I ask the First Lord of the Treasury whether he will be good enough to state what day it would be convenient for the Government to place at our disposal for the discussion of Irish administration? Perhaps the right hon. Gentleman would also tell us what other arrangements he has in his mind as to the course of Public Business in this House?

*MR. W. H. SMITH: I am glad to be able to respond to the invitation of the right hon. Gentleman. The House is in possession at the present moment of the Tithe Rent-Charge Bill. We think it right, and for the convenience of the House, that we should pass that Bill through the requisite stages before proceeding to take any other Government business. On the assumption that the Tithe Bill has passed through those stages by Monday week, I propose to place that day at the disposal of the right hon. Gentleman, if that will be a convenient day for him.

MR. J. MORLEY assented.

SCOTCH AMERICAN MAILS.

MR. LENG: I beg to ask the Postmaster General whether he can state on how many occasions, during the year 1890, the up Scotch mail trains carrying American correspondence missed connection with the Irish mail trains, so that the Scotch letters did not reach Queenstown in time for the steamers by which they should have been despatched; whether he is aware that, notwithstanding the serious complaints of the loss and inconvenience caused to Scotch merchants and exporters by the failures to make connection between those trains in the early part of the year, such failures again occurred on 8th October and 10th and 31st December; whether the Railway Companies, by their contracts to carry the mails, are subject to any penalties when they fail to deliver them in due time; and, if so, whether such penalties are enforced; and whether it is probable the Scotch mails for the United States will be forwarded hereafter with greater regularity?

*MR. RAIKES: I have ascertained that the failures to which the hon. Member refers occurred on eight occasions during the year 1890, including those specially named. The Railway Companies are not, under their contracts for the conveyance of mails, subject to any penalties for delay in delivering them; but my Department is in constant communication with the companies relative to the working of the mail trains, and suitable representations are always made to them respecting any serious delay that appears to have been avoidable. I am sorry to say that during the present month the unusual difficulties attending the conduct of railway business in Scotland have had a prejudicial effect on the mail service generally, as well as upon the communication from Scotland to the United States; but I trust that these irregularities will soon be terminated, and the hon. Member may rely on the Post Office doing its utmost to prevent delay to the mails.

Mr. W. H. Smith

IRELAND—CONDUCT OF POLICE AT EVICTIONS.

MR. DALTON (Donegal, W.): I beg to ask the Attorney General for Ireland, in view of his statement that the stone throwing by the police, at the eviction of Mrs. M'Ginley at Meenacladdy on 15th November, was done in panic, whether he is aware that the police threw stones continuously from the time they commenced the attack on the house until the house was entered, and that the bailiffs made no serious attempt to get into the house at all; and whether the attack by the police, with the assistance of a ladder on the roof of the house and by the throwing of stones, was almost simultaneous with the attempt at entry by the bailiffs?

THE ATTORNEY GENERAL FOR IRELAND (Mr. MADDEN, Dublin University): The hon. Gentleman is under a misapprehension. I did not state that the stone throwing was the result of a panic, but that it was resorted to in self-defence. The premises were entered by the police, and while they were engaged in the performance of their duty stones were thrown at them. It is not the fact that the police threw stones continuously.

MR. DALTON: Is it not the fact that the Commissioner of Police swore at the trial that he had not a good view, and only saw one stone thrown?

MR. MADDEN: I believe the Commissioner did say that he saw stones thrown.

ROYAL IRISH CONSTABULARY—CONSTABLES WATERS AND O'SHEA.

MR. WEBB: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether there would be any objection to laying before the House the grounds of the release, by order of the Lord Lieutenant, after about 10 days' imprisonment, of the two constables of the Royal Irish Constabulary, named Waters and O'Shea, who last October were by Mr. O'Donel, Chief Magistrate of the Dublin Police Courts, sentenced to terms of one month and three months' imprisonment respectively, with hard labour, for assaulting two members of the Dublin Metropolitan Police, who had remonstrated with them for using obscene language in the public street?

MR. A. J. BALFOUR: The sentences referred to were modified on a Memorial submitted by the men, who appealed to their previous good conduct, and to the fact that the occurrence had arisen suddenly and without premeditation. This Memorial came before the convicting Magistrate, who, in view of the facts, approved of the substitution of fines. This was accordingly done.

DISTRESS AND RELIEF WORKS.

COLONEL NOLAN: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he could now state if works of the class mentioned in the Relief of Distress Act would soon be started to relieve the distress in the Tuam and Glenamaddy Unions?

MR. COX: I have also to ask the Chief Secretary whether he will state the number of relief works he has approved of in East Clare, and if any of these are now in course of construction?

DR. TANNER (Cork Co., Mid): I beg also to ask the right hon. Gentleman whether any relief works will be opened up in the Inchigiela and Clondrahid district to provide work and food for the labourers; and whether attention will be paid to the appeals of the Rev. Fathers Hurley, P.P., and Aherne, P.P., "that the condition of the labourers in these districts demands instant attention"; also whether his attention has been called to the statement of the Rev. Father Lyons, P.P., of Myross, made before the Skibbereen Board of Guardians, and supported by Dr. Levis, J.P., and the words of Father Lyons—

> "That the people of Castlehaven and Toehead are starving, many of them during the past week living on boiled turnips and, in default, garbage shockingly unfit for human use. Let them, in God's name, get outdoor relief as they cannot get work";

whether he is aware the Board have adopted a resolution—

> "Again calling on the Government to immediately send relief in food and money, as otherwise we tremble to contemplate the result. Not a single day should be lost";

and what steps will be taken to prevent disaster? I have further to ask if the proposed Donoughmore and Blarney Line of Light Railway will, in view of the grave distress owing to the failure of the potato crop in the district, be granted such material support as will help to assist the unemployed and distressed by promoting a useful public work?

On the first of these questions being put,

MR. A. J. BALFOUR said: With the permission of the House I shall now also reply to the questions of other hon. Members on this subject. A full opportunity will be afforded before Easter of discussing the whole relief policy of the Government. In the meanwhile, all representations made, from whatever quarter, will be carefully considered; but I hope hon. Members will not endeavour, by questions across the floor of the House, to put Parliamentary pressure on the Government to start out of public money in their constituencies works for the construction of which their constituents are naturally desirous. It must be recollected that the ordinary means of relief through the operation of the Poor Law are available to all, and that public works are an exceptional means of meeting an exceptional crisis, which should only be sparingly employed, and in cases of undoubted necessity.

COLONEL NOLAN: Will not public works be pernicious, in so far as they interfere with seed sowing?

MR. A. J. BALFOUR: I do not believe that any of the works started by the Government, and the rate of remuneration paid, will divert labourers from other occupations.

COLONEL NOLAN: Has the right hon. Gentleman received Reports from any responsible officials stating that that will not be the case?

MR. A. J. BALFOUR: I spend my life in conversation with officials on these points, and, on the whole, considering what is the remuneration offered to not more than one member of a family, I do not think the works will be a serious temptation such as would induce people to leave other work. Further, if I found real evils resulting, it would be in my power to take action at a moment's notice.

COLONEL NOLAN: I do not see how the evil is to be avoided if the works are not started before the time for seed sowing.

MR. A. J. BALFOUR: Relief works cannot be started until they are necessary.

Mr. SEXTON (Belfast, W.): At what time before Easter will the Vote be taken?

Mr. A. J. BALFOUR: Of course, the Vote will have to be taken before the close of the financial year. Any date that is convenient to the House will be convenient to me.

Mr. SEXTON: May I ask the leader of the House whether he will put down Supply for the earliest available day, so that the Vote may be taken?

*Mr. W. H. SMITH: I am not able to give the absolute assurance desired. It is possible that developments in Ireland may render it desirable that further information should be obtained before the Vote is asked for; but ample opportunity will be afforded to all Members interested to express their opinions on the subject.

Dr. TANNER: May I ask for an explicit answer to the question whether consideration has been given to earnest representations from clergymen that the condition of labourers in Inchigiela and Clondrahid demands instant attention, and whether relief works will be opened?

Mr. A. J. BALFOUR: All representations made by responsible persons, such as the clergy are, receive careful attention.

Dr. TANNER: How soon may I hope to receive a satisfactory reply?

Mr. A. J. BALFOUR: It is difficult to know what reply the hon. Member would consider satisfactory. The House, however, will feel that it is no unreasonable request I have made that pressure should not be put upon me with respect to isolated localities by a succession of detached questions.

Dr. TANNER: I must press for an answer to the question relating to Skibbereen.

Mr. A. J. BALFOUR: Relief works have been started there for some time.

Dr. TANNER: Will the proposed Donoughmore or Blarney Line of Light Railways, in view of the grave distress owing to the failure of the potato crop in the district, be granted such material support as will help the unemployed and distressed by promoting a useful public work?

Mr. A. J. BALFOUR: The proposed line referred to has, I understand, passed the Grand Jury and the Privy Council, with a guarantee under the Tramways Act of 1883, and the consequent Treasury contribution under that Act. The promoters of the line, upon taking out their Order in Council, can proceed with the works forthwith.

In reply to questions by Mr. Cox,

Mr. A. J. BALFOUR said: There are no relief works in East Clare. Reports have been received indicating that, largely owing, as I understand it, to the severe weather, employment has been scarce in Ennis. This is much to be deplored; but it is not to meet cases of this kind that so exceptional a course should be taken as that of starting relief works out of Imperial funds.

THE STRANORLAR-GLENTIES LIGHT RAILWAY.

Mr. DALTON: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland the cause of the delay in commencing the work of the Stranorlar and Glenties Railway; and whether he can give any assurance that the work shall be commenced without delay, as there is great distress but no employment in the district?

Mr. A. J. BALFOUR: Everything that it is in the power of the Government to do to expedite the construction of this line has been done. The delay has not been with them. But, as the hon. Member is aware, it is of the greatest importance to the district to make such arrangements with a working company as may relieve it of all possibility of charge after the line has been finished.

IRISH JURORS.

Mr. T. W. RUSSELL (Tyrone, S.): I beg to ask the Attorney General for Ireland whether he is aware of the hardships entailed upon jurors under the present system, by which men are summoned from various parts of their respective counties with no prisoners to try; and if he will consider whether some plan can be adopted to obviate occurrences of this kind?

Mr. MADDEN: I fully appreciate the inconvenience experienced by jurors under the circumstances mentioned by my hon. Friend in his question, and I shall gladly consider any plan which may be suggested which would have the effect of preventing their occurrence. I may point out that the difficulty in dealing with the question is caused by the fact that cases may be sent for trial up to the last moment, while, in the interests of the jurors themselves, it is right that they should receive reasonable notice beforehand that their services will be required.

THE IRISH CHURCH SURPLUS.

MR. KEAY (Elgin and Nairn): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland how many years' purchase of the interest on the £1,500,000 of the Irish Church Surplus is charged upon that Surplus by the Purchase of Land and Congested Districts (Ireland) Bill, and included in Return No. 134 of 1890?

MR. A. J. BALFOUR referred the hon. Member to the Return published. He would there see that the rate of interest was calculated at 2¾ per cent., and by a very simple arithmetical calculation, the number of years' purchase could be ascertained.

IRISH CONSTABULARY FORCE FUND.

SIR THOMAS ESMONDE: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether any steps are being taken to wind up the Constabulary Force Fund; and, if not, whether there is any intention on the part of the authorities to meet the wishes of the Constabulary pensioners interested in it?

MR. A. J. BALFOUR: The position of the Government with regard to the Fund mentioned is fully stated in my reply to a question on the subject put by the hon. Member for West Belfast, on August 11 last, to which I now refer the hon. Member. He will there observe that it is not intended to take any step for the closing or winding up of the Fund, other than is provided in Section 11 of the Constabulary and Police (Ireland) Act, 1883, whereby the insurance or benefit branch of the Fund is in course of gradual extinction. The Government has undertaken, in order to make this branch of the Fund solvent, to aid it with a considerable grant of public money.

MR. SEXTON: What steps do the Government propose to take to insure that the arrangement which they intend to make will be satisfactory to the contributories?

MR. A. J. BALFOUR: I think there will be no doubt the arrangements will be satisfactory to the contributories. All that they can desire is that the Fund shall be made solvent, and that the benefits they have been led to expect will be secured. That result will be arrived at by the arrangements to be made.

ENNIS POST OFFICE.

MR. COX: I beg to ask the Postmaster General whether his attention has been directed to a resolution, adopted by the Ennis Board of Guardians at their last meeting, calling on the contractor of the new post office about to be erected in Ennis to commence the work forthwith, in order to give employment to the poor labourers of the town who are destitute from want of employment; and whether, in view of the great distress prevailing amongst the labouring classes in that town and district, he will issue instructions to the contractor to commence the work at once?

*MR. RAIKES: The construction of the new Post Office building at Ennis is being carried out under the charge of the Board of Public Works in Ireland, and not of the Post Office Department. I have received no intimation of the resolution mentioned by the hon. Member; but I shall be very happy to convey to the Board of Public Works any communication which may reach me from the Ennis Board of Guardians.

THE SHANNON NAVIGATION.

MR. SEXTON: I beg to ask the Secretary to the Treasury whether the Shannon navigation is controlled by the Irish Board of Works; whether he is aware that no lights are provided by the Board in connection with the Shannon navigation, to enable steamers, boats, &c., to travel at night; and whether the Board will conform to the English practice, namely, that of the Harbour Department of the Board of Works, by providing suitable and sufficient lighting accommodation to enable vessels to be navigated on the waters under its care?

A LORD OF THE TREASURY (Sir H. MAXWELL, Wigton): The Irish Board of Works only controls the navigation of the Shannon above Limerick, and I am not aware that they are under any statutory or other obligation to light that portion of the river. As regards the English practice, I understand that the Board of Trade have nothing to do with lighting the non-tidal parts of rivers.

ORDERS OF THE DAY.

TITHE RENT-CHARGE RECOVERY BILL.—(No. 110.)

COMMITTEE.

Bill considered in Committee.

(In the Committee.)

Clause 2.

(4.25.) Amendment proposed, in page 3, line 3, at end, to add the words—

> "Nothing in this Act shall impose or constitute any personal liability upon any occupier or owner of lands for the payment of any tithe rent-charge, or any other sum which by this Act is made recoverable as tithe rent-charge, and the Court shall not, by virtue of this Act, have any power to imprison any such occupier or owner by reason only of the non-payment of such tithe rent-charge or other sum."—(*Sir M. Hicks Beach.*)

Question proposed, "That those words be there added."

(4.26.) SIR W. HARCOURT (Derby): I entirely approve of the Amendment, but I would ask the right hon. Gentleman who has put it on the Paper whether he has any objection to include in its terms the question of costs, which naturally belongs to it? The question has been raised of personal liability with respect to the person against whom the judgment is levied. If there is to be the personal liability of the individual, that complicates the whole question of tithe rent-charge, because there has always hitherto been the unbroken principle that there should be no personal liability imposed. The question of costs is a very important one, as the costs may amount to more than the sum to be levied.

THE CHAIRMAN: The right hon. Gentleman is now discussing his own Amendment which is on the Paper. He is entitled to ask a question with regard to the Amendment now before the Committee, but not to discuss his own Amendment.

SIR W. HARCOURT: I was proposing to do away with the necessity of my own Amendment if the right hon. Gentleman would consent to my proposal. I was making these remarks preliminary to moving an Amendment to that of the right hon. Gentleman, but I would rather that the right hon. Gentleman would do it himself. If necessary, however, I will move an Amendment including the question of costs. I have taken the course I have entirely with the view of saving time.

*(4.29.) THE PRESIDENT OF THE BOARD OF TRADE (Sir M. HICKS BEACH, Bristol, W.): I was under the impression that this Bill would have the precise effect which the right hon. Gentleman desires to secure by his Amendment, and with verbal Amendments I have no objection to the words being inserted. I thought, however, that the question of costs was not raised at all by the present Amendment.

SIR W. HARCOURT: What is wanted is a declaration as to personal liability.

*(4.30.) MR. S. T. EVANS (Glamorgan, Mid): If I might suggest it to the right hon. Gentleman the President of the Board of Trade, the difficulty would be met by changing three or four words in the Government Amendment, and the question of costs clearly defined thereby. The Amendment I suggest is the omission of the words "which by this Act is made recoverable as tithe rent-charge" in the third line, and the insertion, instead thereof, of the words "recoverable or payable under this Act," and the omission of the word "only" in the last line but one. The Amendment would then read as follows:—

> "Nothing in this Act shall impose or constitute any personal liability upon any occupier or owner of lands for the payment of any tithe rent-charge, or any other sum recoverable or payable under this Act; and the Court shall not, by virtue of this Act, have any power to imprison any such occupier or owner by reason of the non-payment of such tithe rent-charge or other sum."

If this Amendment is adopted I shall be pleased to withdraw my Amendment dealing with the same matter.

Amendment proposed to the proposed Amendment, to leave out the words "which by this Act is made recoverable as tithe rent-charge," and insert the words "recoverable or payable under this Act."—(*Mr. S. T. Evans.*)

(4.31.) SIR W. HARCOURT: I am in the hands of the right hon. Gentleman. Possibly it would be more convenient thus to amend his Amendment than to deal with the question of costs in a separate proviso.

*(4.32.) THE ATTORNEY GENERAL (Sir R. WEBSTER, Isle of Wight): My own impression is that the existing provision of Section 2 is quite sufficient to prevent any question arising over the words "recoverable as tithe rent-charge." I do not know that any Amendment is necessary, but if it be thought better, I should be willing to add the words the hon. Member has suggested. I agree it is desirable to deal with the whole question in one proviso.

*(4.33.) MR. S. T. EVANS: May I point out that as the section stands the words "or any other sum by this Act recoverable" would seem to apply to the sum recoverable from the tenant by the landlord only.

*(4.34.) SIR J. SWINBURNE (Staffordshire, Lichfield): Supposing the tithepayer does not pay the tithe, and is made bankrupt, and in the course of the bankruptcy proceedings declines to answer a number of collateral questions, can he be committed for contempt of Court? That has happened in Ireland, and may happen in England, if we are not careful.

*(4.35.) MR. G. OSBORNE MORGAN (Denbighshire, E.): He cannot be made a bankrupt, for no personal liability is imposed under the Act.

Amendment put, and agreed to.

Another Amendment proposed to the proposed Amendment, in line 5, to leave out the word "only."—(*Mr. S. T. Evans.*)

Question proposed, "That the word 'only' stand part of the proposed Amendment."

*(4.36.) SIR R. WEBSTER: I do not see any reason for leaving out this word. If a man resists a bailiff or County Court officer he is amenable under the County Court Act, and liable to a fine not exceeding £5. I think the word is necessary, to make it clear that imprisonment cannot be imposed for non-payment of either tithe or costs.

*MR. S. T. EVANS: No one would argue that if a County Court bailiff were assaulted the person assaulting him should not be amenable to justice. But it seems to me that if the word "only" is retained, although you cannot imprison a man for non-payment of tithe or costs alone, you can do so for that non-payment in conjunction with something else.

*SIR R. WEBSTER: I am satisfied that the word is necessary, in order to call particular attention to the absence of the power of imprisonment in respect of a refusal to pay tithe or costs.

(4.37.) SIR W. HARCOURT: It must be remembered that the tithepayer is not to be put under new penalties. The tithe owner will reap great benefit by reason of the use of the County Court bailiff, and we must take care that the tithepayer is not made liable to any heavier penalty than he is at present. Why should he be made liable to a heavier penalty simply because the County Court bailiff is substituted for the tithe owner's agent? For resisting the latter he was liable to a fine of £1, for resisting the former, you propose to make the penalty £5. Do you wish to make him subject to imprisonment for doing that for which he cannot now be imprisoned?

*SIR R. WEBSTER: Certainly not.

SIR W. HARCOURT: Then leave out the word "only." You must take care you are not giving any additional jurisdiction under this Act. I have looked upon this Bill as transferring the duty of tithe payment from the tenant to the landlord, and as substituting the County Court bailiff for the tithe owner's agent. These are the only two things the Bill professes to do. You ought, in my opinion, to leave the tithepayer in the presence of the County Court bailiff exactly as he is in the presence of the tithe owner's agent. You ought not to make his position worse. I cannot see why you should not omit the word "only." If you have not the power to imprison the tithepayer now, you ought not to acquire it under this Act.

*(4.41.) MR. J. BRYN ROBERTS (Carnarvonshire, Eifion): I should like to know whether the Attorney General contends that if a tithe payer assaulted a bailiff, and immediately afterwards paid his tithe, that such payment would free him from liability for the assault? I take it the omission of the word "only" would not touch the question of assault upon an officer of the

Court in the execution of the order of the Court.

(4.42.) MR. ARTHUR WILLIAMS (Glamorgan, S.): If the Attorney General sees no such contingency possible as we fear, why will he not strike out the word and leave the matter to be dealt with by the ordinary law?

*(4.43.) SIR R. WEBSTER: Assault is not the only case that might arise. Take the ordinary case of a man resisting the bailiff, and doing something short of assault; you cannot deal with that offence by imprisonment unless you bring it under the ordinary County Court Act. If anybody can show that the retention of the word does any harm I will consider the matter further. I am convinced its omission will do harm, for I think we ought to be sure that the clause is so framed as not to give an opportunity for argument.

*(4.44.) MR. S. T. EVANS: I will put in one sentence, my objection to the word "only." If anybody reads the clause with that word in, he cannot but come to the conclusion that although a man cannot be imprisoned simply for the non-payment of tithe and costs, he may be imprisoned partly for that and partly for something else, *e.g.*, resisting the bailiff. Any other offence for which he may be made amenable to the law should be entirely distinct from the non-payment of tithe. I think the above would be the conclusion arrived at by any layman.

(4.45.) SIR W. HARCOURT: I have a very important question to put to the Government. Is this clause intended to reserve to the County Court Judge the power of committal to prison for contempt? The Amendment places in the hands of the Court the mere operation of distress, but the question is, does it carry with it the very indefinite and oppressive power of committal for contempt. We are now handing this matter over to the Court, and we ought to know precisely what powers the Court will possess. In my opinion we ought to insert words excluding the power of committal. If under the present Act a man is sent to prison for contempt, no one knows when he will come out again, and, therefore, if you are not careful you will be putting the tithepayer in a very uncertain and dangerous position.

Mr. J. Bryn Roberts

*(4.46.) SIR R. WEBSTER: The right hon. Gentleman appears to have forgotten the statement I have twice made. The tithepayer is not made subject to contempt for non-payment, and this clause will distinctly prevent any such point ever being raised as far as the County Court is concerned. But suppose that a bailiff is sent to serve the order of the Court, and the tithepayer bars his house, or is guilty of the violence which prevents the bailiff executing his duty, then he is amenable to the ordinary law, under which the County Court bailiff can summon a man so acting, and take him before the County Court Judge. He may, too, proceed against him for assault. We intend the same remedy shall apply in the case of the tithepayer. I am perfectly candid with the House. I repeat there will be no imprisonment for non-payment of tithe or of costs, but I cannot imagine that any reasonable person would wish that the bailiff shall be subject to a different rule while executing his duty under this Act, than the one which applies to the performance of his duties under the ordinary Act.

*(4.48.) MR. H. H. FOWLER (Wolverhampton, E.): I do not think that this Amendment carries out the views either of the Government or of my hon. Friend, and I am sure the wording of it will have to be carefully studied before the Report stage. For instance, you have in it the words "the Court shall not by virtue of this Act." The Court will have no power "by virtue of this Act" to imprison, but is it to have the power by virtue of any other Act? Surely, the Attorney General will agree there is reasonable doubt on that point, and that it might involve litigation. We ought to make perfectly clear the meaning of the Government.

*(4.50.) SIR R. WEBSTER: The reason why those words have been inserted is that this Act for the first time brings the matter into the region of the County Court, and that being so, we thought it right to indicate that the County Court Judge had no power of committal under it. It may, I admit, be necessary to omit the words "by virtue of this Act." But I do urge that the word "only" is necessary to show we are dealing with the question of non-

payment as distinct from that of misconduct.

*(4.51.) MR. BOWEN ROWLANDS (Cardiganshire): I think that is an additional argument for the omission of the word "only." If a man be guilty of violence he is subject to imprisonment under the ordinary law, if the offence be of a criminal character. But you are introducing a composite offence. You may couple with the non-payment the offence of resisting the bailiff, and for that this clause will give the power of committal. If a man bars a window, or does any act of that kind, it may be a guilty, or it may be merely an unnecessary act. If it be a guilty act, by all means let him be punished; but you ought not to make the barring of a window and the refusal to pay a composite offence. If the former act is an offence at all it can be dealt with under the ordinary law, and it does not need an Act of Parliament to make it punishable, but if it is not an offence under the ordinary law you ought not to make it so now by reason of coupling an equivocal act with the refusal to pay. Again, the point raised by the right hon. Gentleman the Member for Wolverhampton as to the words "by virtue of this Act" had struck me. If they convey no hostile intention, they certainly seem to leave the way open to grave misapprehension.

(4.54.) MR. H. GARDNER (Essex, Saffron Walden): It seems to me the retention of the word "only" clearly violates the rule laid down to guide us—namely, that you cannot by this Bill put any fresh penalties on the tithepayer which are not embodied in the Tithe Commutation Act of 1836. You are now substituting the County Court bailiff for the tithe owner's agent. If the latter were assaulted when collecting the tithe he had his remedy at Common Law, but because the duty is now to be performed by an officer of the County Court you are adding the penalty for contempt of Court, despite your pledge that you would not do so. I shall certainly support the Amendment.

*(4.55.) MR. G. OSBORNE MORGAN: Has the hon. and learned Gentleman conceded the point raised by the right hon. Gentleman the Member for Wolverhampton?

*SIR R. WEBSTER: I have undertaken to consider it.

*MR. G. OSBORNE MORGAN: Then I think I need not dwell upon that point. But I must say I do not think it desirable in these days to increase the power of the Court to commit for contempt. It is perfectly clear that if you pass this clause in the form in which it now stands you will extend that power. At present, if a farmer refuses to pay, and actually resists the distress, the only remedy is to try him before a jury. Now, you propose to give the County Court Judge the power to commit. See how extensive is that power. If any officer or bailiff of the Court be assaulted in the execution of his duty, the person assaulting him is liable to a fine not exceeding £5, on summary conviction, and it is also lawful for the bailiff to take the offender into custody with or without warrant. There was no such power or remedy before. We have been told that the remedies under this new Act are not to be heavier than those under the old, but by leaving the clause as it at present stands you are violating that promise. I do hope the Government will agree to omit the word "only."

*(4.57.) SIR R. WEBSTER: The right hon. Gentleman has exposed the fallacy of the whole argument in favour of the omission of the word. We are not making the penalties heavier. But will any reasonable man say that if a rescue is attempted in the case of goods seized under a judgment of the County Court for tithe, the person so acting is not to be subject to the same jurisdiction and punishment as in any other case of rescue. Surely this is only a reasonable method of protecting the County Court bailiff. For mere non-payment of tithe the clause clearly provides that there should be no imprisonment. I repeat, I think the word "only" must be retained to make our meaning clear.

(4.59.) SIR W. HARCOURT: You may depend upon it there will be very great prejudice against what is called "County Courting" yeomen farmers in these matters. When the previous Bill of the Government was discussed, nothing caused more unpopularity than the provision for introducing the County Court system. It was called a Bill for County Courting farmers. If tithepayers think this Bill is to be used for the purpose of County Courting them, it will cause the greatest odium, and there will be the greatest resistance to it. I see the Postmaster General smiling. I do not suppose, in view of the orthodoxy of his sentiments, that he would have any indisposition to County Courting the yeomen of Wales. They, however, have an objection to the County Court process. This Bill is one for County Courting for the first time the yeomen of Wales. What the Government have, I think, wisely done by this Amendment, is to try and explain to them that they will be no worse off by being County Courted than they were before. You must show that there will be under this Bill no process against them more severe than exists at present. The argument of the Attorney General just now amounted to this: if you County Court other people, why not County Court these people? That is just what we are contending against. At present a tithepayer cannot be taken up without warrant and fined £5, as he can be under Clause 48. It is quite true that Clause 48 has nothing to do with contempt, but has to do with resistance to the levying of tithe. If there be resistance to the levying of tithe, as, for instance, by the driving off of cattle, Clause 48 will come into operation, and the man may be taken up without a warrant and fined £5. This being so, you make tithe recovery a County Court process. Unless you make this Amendment full and complete, so as to remove any extraordinary operations of the County Court process, you will still remain subject to the charge that you have County Courted people who were not in a position to be County Courted before. I quite recognise that, as far as the non-payment of debt is concerned, the Amendment of the right hon. Gentleman tends to remove any misapprehension; but I say that if you are to remove from the minds of these people the fear that they are to be County Courted, you must show that the operation of the Bill will not be heavier than is that of the present law.

(5.5.) MR. W. ABRAHAM (Glamorgan, Rhondda): As I am not a lawyer, the Committee will pardon me for asking a question. Are we to understand that for such an offence as barring the door or removing cattle you are going to make these people liable to imprisonment or fine? The Attorney General asks why these people should be dealt with differently from other people. There is every reason why they should be. In ordinary cases where these provisions of the law are put in force men have broken contracts or have contracted debts. Here things are entirely different. There are thousands of cases in South Wales that might be brought forward. In one parish you find clergymen receiving stipends of £100 a year, and going to another parish for service. In another parish you find no clergyman and no Church, and in another you are told that the vicar has never been seen there. Is it reasonable to ask that men in such parishes, when they receive nothing for the payment imposed upon them, should be dealt with in the same way as those who ordinarily come before the County Courts?

(5.6.) MR. ARTHUR WILLIAMS: This matter has assumed a very important bearing. The question has been asked: What is to bring the recalcitrant tithepayer under the provisions of the 48th section? Take the case of a neighbour of mine in my own parish who has persistently refused to pay tithe because he will not admit the justice of the claim of the tithe owner. He is supported by sympathising friends. The County Court bailiff may take it into his head to say—"You are resisting the officer of the law, and I will take you into custody." Well, we have had over and over again tithe disturbances in Wales dealt with before a jury, but we have never hitherto seen placed in the hands of a County Court bailiff the power, on his own initiative, of taking a tenant farmer into custody, and having him tried there and then without a jury. This is, as I have said, a very serious matter. We have 40,000 small yeomen who, as soon as this Act is passed, will renew their protests against the payment of tithe, and who will certainly object to having that protest stamped out by a County Court bailiff.

(5.9.) SIR W. HARCOURT: I think we are entitled to some answer as to whether the effect of this clause is to take away the protection of a jury from the tithepayer. If so, and men are to be simply taken up by a bailiff and fined or imprisoned by the County Court Judge, it is a very serious matter indeed. It comes dangerously near the Acts we have applied to Ireland. If you remove the jurisdiction from a jury, as it would now be, and allow the County Court Judge, without a jury, simply on the allegation of the plaintiff, to say that the case is one which should involve imprisonment, it is a serious matter indeed. I should be glad to hear from the Attorney General whether, in his opinion, cases which now go to a jury would, in the future, be dealt with solely by the Judge? I put to him the case of a riot, and ask him whether the rioters could be dealt with in that way? Instead of proceeding against them for riot, could each individual be taken up, fined, and imprisoned under the 48th section?

*(5.12.) SIR R. WEBSTER: I did not rise with reference to the question of the hon. and learned Member below the Gangway, because his observations were not germane to the Amendment. We are not now dealing with riots or disturbances, or any matters of that kind, but with the specific matter as to the person who ought to pay for rescuing the goods. I maintain that that particular person could be summoned under Section 48. But to say that the effect of that section would be to do away with a jury in proceedings for riot, or would render it possible for 10 or 15 or 20 people to be taken before the County Court Judge, is putting a case which never could have occurred to anyone except for the purpose of endeavouring to show that the clause had some latent vice in it. The clause does not touch the case of riot or general disturbance, or the case of shouting, or anything of that kind. That belongs to the general law, and the clause merely deal with a rescue of goods or an assault on the bailiff.

(5.15.) SIR W. HARCOURT: The hon. Gentleman cannot ride off in that way. If he would read the clause he would argue the matter more carefully—and he will do so if he wishes us to assent to the Bill. He says the clause only applies to the conduct of the individual against whom the claim is made, and cannot be applied generally to a number of persons who may have been concerned in the rescue of goods. But the clause says—

> "If any rescue shall be made, or attempted to be made, of any goods levied under process of the Court, the person so offending,"

and so on. It applies not only to the person against whom the claim is made, but to every man who is present on the occasion of the rescue of the goods. It does not require a lawyer to understand that; therefore the hon. Gentleman should be more careful in his language. The clause says—

> "Under process of the Court the person so offending shall be liable to a fine not exceeding £5, to be recovered by order of the Judge or on summary jurisdiction, and it shall be lawful for the bailiff of the Court to take the offender into custody and bring him before the Judge."

I say that applies to every one who may be concerned in a case of this kind. The right of a number of people to have their cases brought before a jury will be taken away; and unless the Government are prepared to remove this difficulty, I shall strongly oppose the establishment of County Court jurisdiction at all. It has been understood that the principle of the Bill is not to place the tithepayer in a worse position than he is in now.

*(5.16.) MR. G. OSBORNE MORGAN: Let me put a case which is constantly occurring. Supposing 25 persons join in a rescue, will the Attorney General say that the bailiff and other officers cannot arrest everyone, and have them each fined £5, or, in default, have them imprisoned?

(5.17.) MR. TOMLINSON (Preston): The argument comes to this: that if the officer of the Court is attacked by 20 people the Court is not to protect him.

*(5.17.) MR. J. BRYN ROBERTS: After the clause read by the right hon. Gentleman the Member for Derby, I would ask whether the Attorney General is of the same opinion? When I put the case of an assault happening, the Attorney General admitted that the exclusion of the word "only" would have no effect. If an assault is committed, a person would be liable for having assaulted the bailiff, and could be imprisoned, notwithstanding that the account was paid. The Attorney General suggested that there might be other charges. There is only one other thing that could be made the subject of this procedure, and that is a rescue, which

stands on the same footing. If, as the Attorney General asserts, the retention or omission of the word "only" is immaterial, the Government should concede the omission to those Members of the Opposition who do not regard it as immaterial from their point of view. Whose interest is it to get the Bill passed without delay? If it is that of the Attorney General, surely he should give way on this point.

(5.20.) The Committee divided:—Ayes 189; Noes 138.—(Div. List, No. 21.)

Words, as amended, added.

*(5.35.) Mr. S. T. EVANS: I now beg to move the next Amendment standing in my name. I may here say that the right hon. Gentleman the President of the Board of Trade has kindly shown me another sub-section which he has had drawn up, and it is so satisfactory that if the right hon. Gentleman will move it I shall be glad to withdraw my proposal.

Amendment proposed, in page 3, line 3, at end to add—

"All rules made under this section shall be laid before Parliament within three weeks after they are made, if Parliament is then sitting, and, if Parliament is not then sitting, within three weeks after the beginning of the next Session of Parliament, and shall not have effect until after the expiration of one month after they shall be so laid."—(*Mr. S. T. Evans.*)

Question proposed, "That those words be there inserted."

*Sir M. HICKS BEACH: I propose to submit the sub-section referred to by the hon. Gentleman. I should state that the present County Court rules are not laid before Parliament, although those of the High Court are. What I propose, is to place the rules under this Act on the same footing as the rules of the High Court.

Amendment, by leave, withdrawn.

Another Amendment proposed, in page 3, line 3, at end to add—

"Every rule of court made for the purpose of this Act shall be laid before each House of Parliament within forty days next after it is made, if Parliament is then sitting, or, if not, within forty days after the commencement of the then next ensuing session, and if an address is presented to Her Majesty by either House of Parliament within the next subsequent forty days on which the said House shall have sat, praying that any such rule may be annulled, Her Majesty may thereupon, by Order in Council, annul the same; and the rule so annulled shall thenceforth become void and of no effect, but without prejudice to the validity of any proceedings which may in the meantime have been taken under the same."—(*Sir M. Hicks Beach.*)

Agreed to.

*Mr. S. T. EVANS: I now beg to move the following Amendment—namely, to add at end of line 3 the words—

"Provided always that the total costs to be allowed to the tithe owner in any case within Sub-section (2) of this section shall not exceed the costs specified in the Schedule to this Act."

I would remind the Committee that on Monday I had an important Amendment, and a suggestion was thrown out then by the right hon. Member for Bury to the Government, namely, that in the case of persons such as the small freeholders, the Government should put the costs to be incurred under this Act in a Schedule. It was said to be impossible that the costs should be the same under this Act as under the existing Acts, because the proceedings will not be similar to what they have been, but I think a Schedule which I have prepared will meet the difficulty. That Schedule is as follows:—

Schedule.

	s.	d.
On all proceedings for the appointment of an officer under Sub-Section (2) of Section 2—		
If the sum ordered to be recovered does not exceed £5	2	6
If the sum ordered to be recovered exceeds £5	5	0
Upon every distraint by such officer—		
If the sum ordered to be recovered does not exceed £5	2	6
If the sum ordered to be recovered exceeds £5 but does not exceed £10	3	6
If the sum ordered exceeds £10 ..	5	0
For every day possession is lawfully kept	2	6
Upon every sale under such distraint, for every £1 or part thereof distrained for	1	0

I think the Committee are strongly of opinion that the small freeholders should not be placed in a worse position than before, because the distraining tithe owners have to go to the County Court. It is conceded that the main object, and almost the sole object, of the Bill is to make the landlords primarily liable to the tithe owners. In order to effect this object there need really have been no alteration in the procedure in the case of occupying holders. And

I do not think that hon. Members opposite will be inclined to vote for a proposal to increase the cost to the small freeholders, especially seeing the period of distress through which they have had to pass, and therefore I hope I shall obtain considerable support for the proviso I now venture to propose.

Amendment proposed, in page 3, line 3, at the end, to add the words—

"Provided always that the total costs to be allowed to the tithe owner in any case within Sub-section (2) of this section shall not exceed the costs specified in the schedule to this Act."—(*Mr. S. T. Evans.*)

Question proposed, "That these words be there inserted."

*(5.40.) SIR M. HICKS BEACH: I am sure the hon. Member opposite will see that it is absolutely impossible for me to deal with a schedule of this sort, which I have only seen five minutes ago. If he had been able to place it on the paper a day or two ago I might have given a definite expression of opinion in regard to it. I am anxious to make a statement on the subject, because since the discussion which took place the other day I have carefully considered the matter, in conjunction with those who are responsible for the framing of this Bill. This is what appears to me to be the position of the matter. The hon. Member on Monday last moved a proviso—

"That the total costs of orders and proceedings in any case within Sub-section 2 of this Section, shall not exceed the amount of costs recoverable in a like case under the Tithe Acts now in force."

I was unable to accept the proviso, because as I then pointed out, the procedure under this Bill is different to that under the existing law, and therefore it is not possible to say that the fees should be the same. Under the present system the first fee charged is 2s. 6d. for the notice, but under the system proposed by the Bill, the first fee charged would be 1s. in the pound for the plaint in the County Court, and then there is 2s. in the pound for the hearing. These are different charges, and cannot be governed by the same scale of fees. I think it would be only right to leave this matter of fees, as far as regards the initial proceeding, to be governed by the existing County Court rules. ["No, no."] Hon. Members dissent from this; but let me point out that there would be no real loss to the tithepayer or the tithe owner by this being done. I must say that it does not appear to me to be a matter injuriously affecting the tithepayer more than the tithe owner. He has to bear the costs in the first instance, and although he may obtain a judgment to recover, he may find it impossible to do so. He runs some risk of losing his tithe, and it appears to me that it is only right that he should be considered, and that, in the interests of both parties the costs should be made reasonably low. Take the lowest of all, a case under £1. There the initial fee under the present system of notice would be 2s. 6d., while under the County Court system it would be 3s. But you may say, take a case of £2. There the initial fee would be 2s. 6d. under the present system, and under the County Court process it would be 6s.; but you must remember that the tithepayer gets a *quid pro quo* for any excess in the fees for the initial proceedings, because now the tithe owner may distrain after 21 days, by giving a 10 days' notice, so that he may be required to pay within 31 days. Under this Bill he gets three months before any proceedings are instituted, and then there is the chance that the County Court may not sit for a little time after the three months, so that there may be some further delay. Therefore, he will obtain a very considerable delay in the payment of the debt and costs, as some return for the increased fees. But when the plaint has been made, and the hearing has taken place, of course the next process would be distraint under the existing law. What we might do is this. We might lay down in the Bill that the fees, charges, and expenses, in or incidental to any distress under Sub-section 2, to which the hon. Member refers, should not exceed those which for the time being are by law chargeable in cases of distress under the Tithes Act. You would in that way, I think, materially reduce the cost in many cases, as compared with what might be the cost under the present County Court system of poundage. The hon. Member has suggested that the cost should be laid down in a Schedule. It appeared to me there is the objection that it stereotypes the cost, which would be exceedingly inconvenient. It is contrary to the action Parliament has recently taken with regard to the matter. By the Act of 1888, amending the law relating to distress for rent, the Lord Chancellor is empowered from time to time to alter the Court rules in regard to the fees, charges, and expenses incidental to distresses.

*Mr. S. T. EVANS: That is distress for rent.

*Sir M. HICKS BEACH: I am advised that it would apply to cases of distress for tithes as well as cases of distress for rent. I think if some words were introduced into this Bill by which the fees and charges incidental to distress for tithe could be thus regulated, it would be far more convenient than attempting to fix it by schedule. I have shown that it is in accordance with what Parliament has already done. I believe that what I have proposed would relieve the tithepayer from undue costs, and would meet the point raised by the hon. Member himself on Monday, so far as that point can be met consistently with the adoption of the County Court process. Therefore, under the circumstances, I hope the hon. Member will not press his Amendment.

(5.50.) Sir W. HARCOURT: We should be glad, now that the right hon. Gentleman is here to-night, to hear him before this discussion is ended. However suspicious characters we may be, at all events, he is one of the great defenders of law and order, and it cannot be supposed that the Amendment is proposed in the interests of disorder. The right hon. Gentleman (Sir M. Hicks Beach) has used a very curious argument. He has said, it is true, that the yeoman farmer may be mulcted in these fees, but he has a great advantage from the delay attending the County Court process. This additional burden is to be placed upon the tithepayer, who in Wales may have to walk miles and miles to a County Court. What is it the right hon. Gentleman offers as a great concession?—that the costs of distraint shall not be greater than at present. That does not touch the objection raised. The objection is to the costs before the destraint. The cost now is half-a-crown, and no more. What the costs are going to be we do not know. We only know that the minimum is to be 3s. in the £1. The right hon. Gentleman has kept his figures very low, so as to keep them near the half-crown. But if you take tithes for £10, the costs would be 30s. and you might easily go up to £5 and £10, without any exaggeration at all; and the costs will often be twice as much perhaps as the amount of the tithe levied. By Clause 3, 5th subsection, you are going to summon not only the owner, but the occupier, who will have to travel over the mountains of Wales to the County Court. There will be all the trouble and expenditure which is now represented by the simple payment of half-a-crown, which is levied with the tithe rent-charge. Unless the Government are prepared to put the matter straight, we have no option but to vote against the County Court jurisdiction altogether. It is quite clear that this would be a case of the greatest possible injustice. The tithe owner will benefit by having a low Schedule, because he will not have to advance the money. Let me point out how careful the Legislature was in former times. The costs in the case of tithe have always been put on an exceptionally low scale; and where a man succeeds, he receives half as much costs as he would in the case of a distraint for rent. The Legislature has always considered that the costs in connection with the recovery of tithe charge should be exceptionally low. We ask you to take care that it shall be so by Schedules to this Bill. The right hon. Gentleman has said that Schedules are not convenient things, but I would remind him of the very valuable Schedule to the Corrupt Practices Act introduced by my right hon. Friend the Member for Bury. If you intend to keep these charges down, you must put the maximum for them in a Schedule. If you do not wish to use these Courts as a screw, if you desire that the costs should be minimised, if you have really at heart the interests of the tithepayer and the tithe owner, then you will put in a Schedule a maximum that will keep down these charges. Otherwise, the object of the hon. Member for Maldon will be defeated, because the costs will amount to more than the percentage which he proposes to take off. It may be that the land will not yield the tithe charge plus the costs. This is a question both of the tithe owner and the tithepayer. The Government, if they like, may make out their own Schedule. We do not assert, as I understand from my hon. Friend, that this Schedule is perfect. We are quite willing that the Government should present their own views in their own Schedule, but all we ask is that fair and proper terms should be settled.

(5.55) MR. H. R. FARQUHARSON (Dorset, W.): May I suggest, as this question of costs is likely to give rise to considerable difficulty, that the Government should promise to give, later on in the Bill, some substantial compensation to the tithe payer in respect of the costs incurred by the County Court process. It seems to me extremely unfair that the tithe owner is to have everything in this Bill, and that the tithepayers are to be saddled with extra costs. Unless the Government can give us some compensation, I, for my part, shall resist this chance of extra cost.

*(5.56.) MR. H. H. FOWLER: The suggestion of the hon. Member is well worthy the consideration of the Government. What I want to point out is that this matter does not lie between the tithe owner and the tithepayer, or the clergyman and the farmer; it is a question between the public and the Treasury. We must take it out of this local dispute, so to speak, as between the tithe owner and the tithepayer, and put it upon its true footing. I think if the Committee will look at this from the position of the hon. Member who has just spoken, it will be seen that it is not fair to add this additional burden to the tithepayer. Of course I feel the force of the objection that the Government cannot settle the question off-hand; but if they accept the principle that a Schedule shall be inserted, then Members on either side will have time to consider the scale, and the Treasury Authorities will consider what would be a proper and legitimate sum to charge. At present County Court fees are exorbitant. I am quite sure my right hon. Friend the Member for Bury (Sir Henry James) will be prepared to support the proposal for a Schedule.

*(6.1.) MR. J. BRYN ROBERTS: The right hon. Gentleman (Sir Michael Hicks Beach) admits there is hardship in the increase of costs, because he says there is an equivalent in the Bill for the tithepayers, inasmuch as the tithepayer will have the use of his money for an extra three months. Whereas the right hon. Gentleman says the money can now only be recovered in a month, under the provisions of the Bill it cannot be recovered for four months. But what is the value of this equivalent when we come to examine it? Take the illustration of a man being sued for £1, the costs would be 3s. simply for Court fees, and there would still be the cost of witnesses, one of the witnesses being probably a clergyman, who under the present County Court regulations would be entitled to £1. So there at once is a sum of 23s. As an equivalent the right hon. Gentleman says there is the use of the money for three months more than now; but taking it at its highest the interest on the £1 for three months would only be 4d.

*(6.2.) SIR R. WEBSTER: There is some misapprehension in the minds of hon. Members; the question of witnesses in no way arises upon the stage we are now considering. If the tithepayer desires to dispute the charge, he will do so at the first stage, and if he desires, he can call witnesses; but witnesses will not be necessary, and a hearing will not be necessary to empower the County Court to authorise a levy of distress.

*(6.3.) MR. S. T. EVANS: If the Attorney General thinks no witnesses' costs can be added to the County Court proceedings, he is wrong. The plaintiff is entitled to be there, and his agent, and you must have somebody there to speak to the assessment. Perhaps the Committee would like to hear what the costs were in a very small County Court action which actually occurred. The amount of £1 10s. 10d. was sued for in a County Court, and the amount being under £2 there were no solicitors' or barristers' expenses; there were simply costs to witnesses and Court fees, yet the costs amounted to £11. It was a case in which witnesses came from Brighton to attend a County Court in Wales, and so it might happen in a case under this Bill, and without professional expenses the total costs may amount to eight times the sum sued for. The right hon. Gentleman went through the plaint fees and the hearing fees, but I do not see why there should be either; this is not in the nature of proceeding or judgment for a particular sum, but

an application for the appointment of a receiver or officer under the sub-section with which we are now dealing; it is not like a case of entering a plaint to recover a sum due, it is simply an application. Of course disputes may arise, but it is in a simple case an application to appoint an officer of the Court to distrain. The right hon. Gentleman says the proceedings subsequent to the application to the County Court will not be more costly than the process now is, but all the County Court proceedings will have taken place before, and heavy costs we are afraid will be saddled upon small owners. I am sorry that a copy of the Schedule was not handed to the right hon. Gentleman, but here is one I will hand him now. I shall be satisfied if the Government will concede the principle that costs shall be specified in a Schedule of the Act, so that the Committee may take care they shall not be exorbitant. I suppose there will be no difficulty in postponing the consideration of the Schedule? The Schedule I have prepared may not be perfect, but it is a Schedule applicable to the case, and I have not heard of anything that I have not taken into account. I only ask for the concession that there shall be such a Schedule, and that the Committee shall have control over the costs. I do not want to cause delay, but we must fight out the question of costs on every stage. The Government have been reasonable until now, and after the moderate speech of the right hon. Gentleman, I hope the concession will be made.

*(6.10.) Mr. G. OSBORNE MORGAN: My objection to the statement of the right hon. Gentleman is that it did not go far enough, that he only touched the fringe of the question. The costs will certainly be very much larger than he has suggested, though the 1s. in the £ for plaint, and 2s. hearing fee, is no inconsiderable sum, 15 per cent. of the sum claimed. The Attorney General says there will be no hearing; but I do not see how he can say that in the face of the Bill. The Bill says—

> "Before any order under this section is made, there shall be such service on, and hearing of, the occupier in addition to the owner, as may be prescribed."

If the titheowner is to be heard, how can you escape from the costs of a "hearing?" And those acquainted with County Court procedure know that hearing will involve substantial costs. A man will be very foolish if, in a case, say, of £20, he does not employ a solicitor, and the costs of such employment will probably amount to £10.

(6.12.) Mr. WARMINGTON (Monmouth, W.): There are two grounds upon which I may appeal to the right hon. Gentleman that he should give favourable consideration to the proposal for a Schedule. In the first place I would point out that an entirely new and exceptional duty is being cast upon the County Court, a duty entirely foreign to any the Court has now to discharge, and therefore there is no reason why the scale of costs applicable to the ordinary business of the Court should apply to this exceptional process. Then another ground is this: In fixing costs for recovery of tithe by Act of Parliament we shall be following precedent. It has always been so fixed; it has always been considered a special matter, and there is no reason why we should depart from the practice now. This is an initial stage the appointment of an officer to distrain, and a small sum should be fixed. I trust the right hon. Gentleman will see this is an exceptional and special matter, to be dealt with from a tithe point of view, and not from the County Court point of view.

(6.14.) Mr. JEFFREYS (Hants, Basingstoke): Although we desire security for the tithe, we do not want to inflict a penalty in the way of costs. Without expressing an opinion as to the scale, I hope it is possible to give an undertaking that a Schedule shall be added.

*Mr. W. BOWEN ROWLANDS: I quite agree with my hon. Friend the Member for Monmouth (Mr. Warmington) there is precedent for fixing the scale of costs in these proceedings, and I see no difficulty in so doing. As to the analogies relied upon by the right hon. Gentleman (Sir M. Hicks Beach) with regard to fees in cases of distraint being fixed by the Lord Chancellor, that is only an alternative method to adopting a Schedule. A Schedule has been adopted in other cases. The reason for empowering the Lord Chancellor to draw up a scale of special fees was, that under the old practice it had been left very much to individual caprice or local custom to regulate charges. The avowed object of giving the Lord Chancellor the power so vested in him by legislation was to decrease the expense of levying distress. No one pretends here that the cost of proceedings will in any way be lessened, therefore it seems to me the analogy upon which the right hon. Gentleman relied entirely fails. There has been an absence of support to the position the right hon. Gentleman has taken, and indeed, I think, the right hon. Gentleman expressed no more than a vague belief. I hope, in view of the evidence given and influenced by precedent, he will give up that belief, and listen to the proposal that a Schedule should be forthcoming at a later stage.

*(6.16.) MR. J. BRYN ROBERTS: It is a fallacy to suppose there will be no costs unless the tithepayer resists the claim; the plaintiff must prove his case and must have his witnesses. When a tithepayer is unable through poverty to pay the money, he will as usual with a defendant in that position, let the proceedings go by default, not adding to the costs by appearing and losing his time. A schedule, undoubtedly, would minimise costs, though the details of that schedule we cannot now discuss.

*(6.17.) COLONEL HUGHES (Woolwich): It seems to me there is considerable misapprehension about this sub-section. It does not refer to plaint or hearing; so much of the discussion on the proposed Amendment as refers to costs prior to judgment is therefore irrelevant. Sub-section 2 provides that the order shall be executed in the usual way when the land is occupied by the owner, so first there is the order of the Court, and then in this Sub-section 2 we deal with how the distress is to be levied. Therefore all the discussion of the cost of proceedings up to the time of hearing has nothing to do with Sub-section 2. Should we not confine ourselves to Amendments proposed to lessen the expense of procedure after the order is issued?

(6.18.) SIR W. HARCOURT: I understood we were dealing with the costs as a whole, but this technical objection ought to have been taken to the first Amendment, for that raised the whole question. Surely it is better now to dispose of this question of costs.

(6.19.) COLONEL HUGHES: The Amendment proposes that the total costs to be allowed to the tithe owner in any case within Sub-section 2 of this section shall not exceed the costs specified in the Schedule; but the costs under Sub-section 2 can only be costs arising after the order is issued.

*(6.20.) MR. S. T. EVANS: The hon. and gallant Gentleman is entirely mistaken. How are you to get the order? The order is to be got by application to the County Court, and then the sub-section says the order being given is to be executed in a certain manner. There must be an application to the Court, and you must go to the Court for the order in Sub-section 1.

*(6.22.) SIR HENRY JAMES (Bury, Lancashire); I have not answered the numerous appeals made to me, because I feel that the occupants of this Front Bench ought only to occupy a certain amount of the time of the Committee, and I think so many demands have been made on that time that I did not wish to add to the claim. I do not hesitate to say that I adhere to the view I expressed on Monday last, and that I think the Government would be well advised if they accepted the solution of the difficulty that has arisen in respect to costs. We are not now discussing the amount of the costs, or what should be in the schedule, but I think, in the interest of everyone concerned, there should be some limit placed upon costs. There is a special reason why limitation should be made by schedule. The public certainly will be benefited by the Bill in the avoidance of scenes necessary to be avoided, and if the public are benefited then the public can make a little sacrifice. The result of the limitation of Court fees in the schedule will only be a slight diminution in the receipts of the Chancellor of the Exchequer, who represents the public. But nobody will suffer. The charges in the County Court are high; they are now a profit to the public, and if you diminish them in the interest of the public nobody will suffer and everybody will gain. I do not see how the House can take charge of the matter without the introduction of a schedule; and I would ask the Government to consider whether, in the interest of the public, they could not take this method of meeting the

wish that the costs should be made as small as possible?

*(6.25.) SIR M. HICKS BEACH: I endeavoured to point out the objections that appeared to me to exist to framing a schedule of costs in reference to the Bill, and I felt other objections I did not mention. There was the possibility of a discussion occupying a large amount of time on the matter of shillings and sixpences in a schedule of costs. I am very anxious to meet the wishes of the Committee in dealing with this Bill, and I think I have shown it. If I understand, as I hope I am to understand, that Members on both sides will approach this question of a schedule of costs, not with the desire of using it as a means of obstructing the passage of the Bill, but with a desire to frame a schedule which shall be fair to the public at large, and to enable the new system of tithe recovery to be properly worked, I am very willing, on this understanding, to meet the desire for a schedule. But I would suggest to the hon. Member for Glamorgan that the schedule he refers to would raise very considerable difficulty, and I do not wish in any way to be understood as accepting the principle upon which it is based. He makes a difference in the fees he proposes should be charged for the initial proceedings for sums over and under £5, but there he stops, excepting that with regard to fees for an order for distraint he goes up to £10. I think he will see this will be a complete divergence from the present County Court system. I will do my best—before the Report—to consult the authorities who have charge of this matter, and place a schedule on the Table for the consideration of the House. I hope the hon. Gentleman will be content with that assurance, and that he will not press his Amendment, which would come in very awkwardly at this point.

*(6.31.) MR. S. T. EVANS: I accept the right hon. Gentleman's assurance in satisfaction of my Amendment, and am prepared to withdraw it for the present.

*MR. G. OSBORNE MORGAN: I presume the schedule will apply to all costs, and not merely to the costs arising under Sub-section 2?

Sir Henry James

(6.32.) MR. AMBROSE (Middlesex, Harrow): I am not quite clear as to whether the schedule will be limited to the costs recoverable by the tithe receiver from the tithepayer. I understand the pledge of the right hon. Gentleman to apply to the County Court fees, and to have no reference whatever to the costs recoverable by the receiver. Furthermore, it seems to me remarkable there should be a reduction of County Court fees in favour of the tithepayers only. I trust that if there is any reduction at all it will apply generally, for it would be very hard indeed that the poor debtors—tradesmen and others—should be called upon to pay higher fees than the tithepayers.

*(6.34.) MR. T. H. BOLTON (St. Pancras, N.): I would suggest that, as many of the amounts payable are very small, there should be some system of grouping devised, and a scale of costs applicable to the grouping drawn up. I find, from a Report I hold in my hand, that in the case of some tithes lately sold four landowners paid tithe which in the aggregate came to only 14s. One landowner paid 5s. 6d., another 2s., and so on. In cases of that kind it is very necessary that a very low scale of costs indeed should be adopted, and that where proceedings are taken for the recovery of several of these small tithe rent-charges in one parish, one proceeding only should be taken and made applicable to the recovery of all the sums. These small tithe rent-charges are very numerous. I could mention a case where there are 573 tithe rent-charges in one parish not exceeding 20s., and 371 charges less than 5s. When you are to recover small amounts like these by the process of receivership through the County Court you are met with very great difficulties, and in fixing the costs it is very desirable they should be kept as low as possible.

Amendment, by leave, withdrawn.

*(6.36.) MR. J. BRYN ROBERTS: May I ask whether it would be open to me to add, as an addendum to the schedule, that in no case shall the total amount recoverable exceed 5s. in the £1?

*SIR M. HICKS BEACH: Before you answer the question, Sir, may I say it would be much more convenient if the hon. Gentleman waited until he sees the schedule.

*MR. BRYN ROBERTS: I am afraid I should be precluded.

THE CHAIRMAN: I cannot say now whether it would be in order on the schedule for the hon. Gentleman to move such an Amendment.

(6.38.) MR. RANDELL (Glamorgan, Gower): The County Court has power, if it certifies that a case is one of public interest, to award costs under Scale C. Those costs are extremely large. For example, in one case, where the amount recoverable was three guineas, the costs amounted to £19 10s.; in another case, where the amount was £5, the costs were £34; and in the third case, where the amount in dispute was £5, the costs were £41 5s. Will the Government take into consideration Subsection 119 of the County Court Act, and practically make it inoperative?

*SIR R. WEBSTER: No definite pledge can be given. Of course, what is inserted must depend upon the form of the schedule, but the point the hon. Gentleman has raised will not be overlooked.

Question proposed, "That the Clause, as amended, stand part of the Bill."

*(6.41.) MR. G. OSBORNE MORGAN: While the clause was under discussion I did my best to improve it. I regard it as a settled principle that when the principle of a Bill has been approved on the Second Reading it is the duty of every Member in Committee to make the measure as good as possible. But now that the clause has been amended, I am bound to say I retain the opinion that this substitution of the County Court for the old process of distraint combines the maximum of irritation with the minimum of result. That is not only the opinion of the tithepayer, but of the tithe owner, as expressed in a paper issued under the direction of the Council of the Tithe Owners' Association. A good deal has been said about costs. I gratefully acknowledge that the right hon. Gentleman the President of the Board of Trade has made concessions; but to talk of this Bill, as far as Wales is concerned, as a measure of conciliation, as the hon. Member for West Kent did, is foolish. What will happen in Wales when this Bill comes into operation? It is quite true you will not have the scenes you have at present, but you must remember there are 40,000 freeholders who are also occupiers. Most of them, if not all, are Nonconformists. I suppose it is agreed that some of them are conscientious persons who will refuse to pay tithe upon the same ground as their fathers refused to pay church rates, namely, that they object to the application of the tithe. Do you think that when this Bill passes such people will be more ready or willing to pay, or that the Bill will improve the relations between the parson and his parishioners? If there is one thing which a Welsh farmer, in common with a good many other people, dislikes more than another it is to be County Courted. Again, it is to be borne in mind that County Courts are held in towns where it is much easier than in the country districts to organise hostile demonstrations. Tithepayers will be summoned long distances, and when you have got a judgment of the Court against them, you will be exactly in the position you are in now as regards the enforcing of that judgment, except that the tithe will be collected through the County Court instead of through the agents of the tithe owner. I venture to say there never was a time when the relations between Nonconformists and Churchmen were so strained as they are at the present moment. You cannot, by a Bill like this, remove that strain. So far from the Bill improving the relations between the Nonconformists and Churchmen in Wales I believe it will only make matters worse, and sooner or later bring about the disestablishment of the Church, which the vast majority of the people of the Principality demand.

(6.48.) The Committee divided:—Ayes 195; Noes 140.—(Div. List, No. 22.)

Clause 3.

*(7.0.) MR. J. BRYN ROBERTS: The object of the Amendment I have to propose is to provide that the reduction in the amount of the tithe, whether it be two-thirds or one-half, may take place without the necessity of an application to the Court. I do not now wish to raise the question what the amount of the reduction should be, or whether it should be Schedule A or Schedule B.

The principle of the Amendment is simply this: as the Bill now stands recourse to the County Court is necessary before any remission of tithe can take place. The words of the section run—

> "Where a sum is claimed on account of tithe rent-charge issuing out of any lands and the Court is satisfied, that if the sum claimed is paid, the total amount paid on account of the tithe rent-charge for the period of 12 months next preceding the day on which the sum claimed became payable, will exceed two-thirds of the annual value of the lands as ascertained and entered in the assessment for the purpose"—

then there shall be a reduction. I desire that on the production of a certificate from the Surveyor of Taxes the reduction shall be made there and then, without recourse being had to the County Court, this not being necessary where there is no dispute between the parties. Possibly it may be said if the parties agree to the reduction there will be no necessity to apply to the Court, but that is not so under the Bill, the tithe rent-charge becomes chargeable, though it is not exacted. I do not see why the remission should only be made when the Court is satisfied. If a tithe owner wrongly refuses to allow a remission, yet the tithepayer will have to pay the costs of going to the County Court, because recourse to that Court is necessary before a remission can be made. I do not wish to raise the question as to whether the standard should be a half or two-thirds, or whether the assessment should be for the purpose of Schedule A or Schedule B; my object is to render recourse to the County Court unnecessary for the purpose of obtaining a remission. That can be done by accepting the certificate of the Surveyor of Taxes, as fixing what the tithe should be. I hope, therefore, Sir, you will put the question in such a form as will permit the subsequent Amendments raising the questions as between Schedules A and B, and as between remissions of one-half or two-thirds, to be moved.

Amendment proposed, in page 3, line 4, after the word "Where," to leave out to the end of sub-section (1), and insert the words—

> "The tithe rent-charge issuing out of any lands in any year exceeds one-half of the annual value of the lands, as ascertained and entered in the assessment for the purpose of Schedule A to 'The Income Tax Act, 1853,' the tithe owner, on production of such certificate as hereinafter mentioned, shall remit the excess of such tithe over one-half of such annual value, and such excess shall not be recoverable."—(*Mr. J. Bryn Roberts.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

*(7.6.) SIR M. HICKS BEACH: It is most inconvenient that the Amendment should be moved in this form, because, although the hon. Member says he does not wish to raise the question of the half or two-thirds, or of Schedule A or Schedule B, yet his Amendment distinctly raises both those questions. I would suggest he should not press this, but raise his point upon a Motion to omit the words "and the County Court is satisfied." But, however, not dealing with the questions of schedule or proportions of remission, but simply with the question whether the remission shall be by the Court, the hon. Member must recollect it is perfectly possible for tithe owner and tithepayer to come to an agreement without the intervention of the County Court at all. Both will know by the fact of the surveyor's certificate having been given what the position is and what the amount of the tithe ought to be; and the tithe owner would not be such a fool as to take the tithepayer into the County Court for a debt he could not recover, because he would undoubtedly be saddled with the costs. If, however, there is any question in dispute between them as to whether there should be any remission or not, then the County Court must decide. Under Sub-sections 5 and 6 any questions which might arise as to a special apportionment of the tithes, or as to two or more rent-charges issuing out of the same lands, would have to be decided by the County Court. Also under Sub-section 7 arises the question of lands used or laid out for the purpose of building. There are Amendments on the Paper desiring to enlarge this exception from the clause. It is, therefore, obvious that the Court, having these functions to perform, must interfere if there is any question at all between the parties. If there is no question, if they agree, then the matter can be settled without intervention of the Court.

*(7.11.) MR. J. BRYN ROBERTS: I do not wish to press the Amendment, but I desire to avoid unnecessary reference to the County Court. My position is this: That under the Bill as it is drafted the tithe is due until an order of the Court for the remission is made.

*SIR M. HICKS BEACH: The tithe-owner can give a receipt in full for it if he chooses.

*MR. J. BRYN ROBERTS: No; the amount remains until the remission is made by the Court. My only desire is that it should be made clear that only that amount is due which the County Court is directed by law to declare. If there is any dispute as to the amount, of course the decision of the Court must be invoked. Of course, the other sub-sections referred to by the right hon. Gentleman would have to be altered if my Amendment were carried. But inasmuch as the right hon. Gentleman seems to think that reference to the County Court would not be compulsory, I am content to withdraw my Amendment.

(7.12.) MR. H. GARDNER: In reference to the assessment of the Income Tax Commissioners being taken as the standard of reduction, may I ask the right hon. Gentleman what would happen in a case of the description I am going to put before him, for on the view taken depends whether I shall consider it necessary to propose an Amendment? As I understand, the case for reduction is to be based on the assessment of the Income Tax Commissioners. I speak now of the case of a small yeoman or small owner cultivating his own land. If he is assessed under Schedules A and B, and has proved to the satisfaction of the Income Tax Commissioners that he has made no profit, the Commissioners are constrained, and in frequent instances they do so, to remit the Income Tax for the year. Now, the whole of this clause turns on the assessment of the Income Tax Commissioners; and I ask the right hon. Gentleman, in a case where a man proves to the satisfaction of the Commissioners, that he has made no profit on the land, and the Commissioners have therefore remitted his Income Tax, whether that will be taken into consideration by the County Court in the reduction of the tithe rent-charge? It must be obvious to the right hon. Gentleman that if the assessment under Schedules A and B is taken as the foundation of the tithe rent-charge and that assessment has afterwards been set aside, the Income Tax being returned by the Commissioners, then it is obvious that you are going to make the reduction of the tithe rent-charge on an utterly false basis. I have known such cases, and I ask the right hon. Gentleman when such cases occur will these facts be considered in the reduction of the tithe rent-charge?

*(7.15.) SIR M. HICKS BEACH: I do not think it would be possible to consider that case. The remission of Income Tax is made to a person not as owner, but as occupier. He pays the tithe as owner; the interests are different altogether. It is not as owner he obtains remission of Income Tax under Schedule B. Of course, if the circumstances were such that not only was a remission given, but the assessment was reduced, then he would obtain a reduction in the tithe rent-charge.

(7.15.) MR. H. GARDNER: The right hon. Gentleman has not apprehended the facts. Here I have a letter, the writer of which is occupier as well as owner in Hampshire, and he says for the last three years he has had his Income Tax under Schedules A and B reduced, because he had made no profit or rent.

MR. F. S. STEVENSON (Suffolk, Eye): One matter I should like to point out. The object the hon. Member has in view by his Amendment, leaving out the two matters he has not dealt with, is that in as few cases as possible recourse should be had to the County Court. It is obvious on the face of it that the tithe-payer will be in a position of humiliation if he has to seek relief from the County Court. The right hon. Gentleman says that an amicable arrangement may be arrived at, but it must occur to him that amicable arrangements will be more frequent when the tithe owner is an individual than when the tithe owner is a corporation, therefore it is with a view to meeting the cases where the tithe is owned by a corporation that some such Amendment is highly desirable. Perhaps the right hon. Gentleman is prepared to consider this view before Report stage is reached, in order, if possible, to exclude the intervention of the Court in as many instances as possible.

*Sir M. HICKS BEACH: I cannot preclude the operation of the County Court where there is a dispute between the parties, whether they are private individuals or Corporations.

Amendment, by leave, withdrawn.

*(7.18.) Mr. C. W. GRAY (Essex, Maldon): Whether the Committee may agree to the Amendment, which stands in my name, or not, at any rate the Committee will not be surprised that those of us who think that under exceptional circumstances consideration ought to be given to tithepayers, are making strenuous efforts to get their view recognised in this Bill before it becomes an Act of Parliament. We have been told throughout the numerous discussions on this difficult tithe question during the present Parliament that at any rate the Government would allow free discussion of all points suitable to the Bill. Many of us have not been so determinedly opposed even to some parts of the Bill we thought were wrong, because we trusted that the opportunity would arise of placing our grievances before the House, in the hope that some further relief might be given to the tithepayer under exceptional circumstances beyond what the Bill proposes. I am sanguine that there are many Members in the House at the present time who think that perhaps after all I am not a spoliator, not anxious to rob the Church, not desirous of acting in any unfriendly spirit towards the tithe owner and the clergy, and perhaps there are more Members now than there were on former occasions when I pleaded from this point of view, who feel that some relief might be given to tithepayers. To hon. Members who agree with me I think I may say we may congratulate ourselves upon having advanced at any rate so far as that, for some reason or other we have a clause in the present Bill, a clause we may spare a moment or two to analyse presently, which provides that under certain circumstances there shall be a revision of tithe. That has broken the ice. There was a time when all our arguments were met with—"You made a bargain in 1836 and are in honour bound to abide by it." I always thought that an extraordinary argument to use when at the same time a Bill was introduced which certainly tore up one part of the bargain of 1836, there can be no doubt about that. But still there remains force in the impression there is, that generally speaking, it is wrong to run back from bargains made. No doubt there is a great deal to be said about bargains that have been made, but I have before endeavoured to show to the House that tithe rent-charge is not in all respects on all fours with a mortgage, or an ordinary rent-charge, and I think that I have succeeded in doing so. I dare say it may be described from a legal point of view as a first charge upon the land; but there is this about it, that it was never intended—I am certain of this, and I am strengthened in making the assertion by something the President of the Board of Trade said the other day—I am certain that neither the original donors or the framers of the Tithe Commutation Act of 1836 ever intended, or dreamed I might say, that tithe would occupy the relative position it unfortunately does to day to the income many landlords derive from many of those unfortunate farms to which I am alluding. Now, why I said I was strengthened in the feeling that I was right beyond dispute in making my assertion, was, because the Member in charge of the Bill, the President of the Board of Trade, in his speech in December last, in moving the Second Reading, said this:—

> "I must say that, in my opinion, neither those who originally gave the tithe, nor those who framed the Act of 1836, intended that the tithe rent-charge should deprive the owner of the land of all interest in his property."

No doubt the right hon. Gentleman will say, "Yes, but that is quite different from your Amendment." Well, there may be a difference; but I am sure that if we put the Government on their defence, and ask them to show that under this clause as it stands the existing state of things would not to a great extent continue, I think that it would require all the talent of the Front Bench to prove that assertion. It would be very difficult for the Government to prove that if it were passed as it stands there would not be a certain number of cases in which the tithe rent-charge would swallow up the entire annual pecuniary interest in the land from which it is derived. If that is so I do not think I ought to be considered too sanguine if I hope that by and by when the question has been sufficiently debated some Member of the Government will rise and say my Amendment is accepted. Because I have got this admission from the right hon. Gentleman in charge of the Bill. I find my task much easier than before I had such an admission. If the clause is passed in the form in which it stands, let me give an illustration of what will certainly take place. Suppose a small farm owned and occupied by a yeoman farmer. There are buildings and so on put up by him; this means money, and we must give consideration to this state of things. Supposing the assessment, under Schedule B, on this little farm is £15, and that is the annual value. Suppose this is made up of £10 tithe, and £5 is what is usually called in connection with this subject "beneficial" rent. Under these circumstances there would not be a farthing of relief for this man. Now, can the President of the Board of Trade, can any Representative of the Clerical Party, can the noble Lord (Lord Cranborne), who speaks so forcibly, pretend that this wretched £5 would leave any pecuniary interest, any income after the necessary repairs to buildings, and the incidental expenses always connected with ownership of land, and especially where the man is the cultivator of his land? When this £5 has to do all, will you say that in such a case regard is paid to the intentions of the original donors or the framers of the Tithe Commutation Act of 1836, which attracted the respect of the President of the Board of Trade? I might talk about larger farmers, but I know if I wish to appeal to the sympathies of hon. Gentlemen opposite I had better rest my case on the yeomen farmers and small owners. I want to interest those hon. Members who think that large landlords should be ignored on all possible occasions. The hon. Member for Leicester regards the landlords as first cousins to the red-coated barbarians he talked about in a former Debate, but I appeal to the hon. Member, does he think it is well for the House after these numerous and protracted Debates on this tithe question—it is no good mincing matters, we have discussed every possible suggestion over and over again—is it well to leave the small owners to this position? We may be perfectly certain that if the House determines to pass Clause 3 as it now stands, that the point of relief fixed in the Bill is the last inch the Government will give way, we may be perfectly sure there will be no chance of reopening the question for these yeoman farmers for many long years. For this reason I propose my Amendment—not that my sympathies are confined to the small farmers—but because practically this is the last chance. The House has discussed the question now in all its bearings, and if the clause is passed, and we determine after all that the tithe owner shall be allowed to take his very last pound of flesh, then on little farms only this miserable pittance of £5 will be left for repairs and all the incidental expenses of ownership. I know I shall have the heavy artillery bearing upon me presently. I shall be told I am still harping on spoliation and so on, but I am not submitting anything so extreme as a proposal which has been made from the Government Bench itself. Then there was another proposal—one that would have gone much farther than that which I propose. There was the proposal which came from the Front Ministerial Bench when the Government had to face the difficulty as to how the larger sum should be taken from the lesser. The Attorney General, when a former Tithe Bill was *in extremis*, got up and said he would take as the test of relief, or of what the tithe should be, net profit in the case of men farming their own land. Spoliator as I am supposed to be, I should never, upon my own suggestion, have thought of proposing anything of that kind. According to that plan, whenever the annual balance-sheet showed no balance on the right side, the whole of the tithe would be swept away. No doubt we shall see once more trotted out the old argument that by accepting the Commutation Act the tithe owners gave up innumerable millions, but that argument, I am quite sure, has never been substantiated. I will not go into that now. If there is anything in the argument, my hon. Friend the Member for Dorsetshire can cap it, by showing what the tithe owner gained by the arrangement as to rates. I know of a place in Essex where the tithe was apportioned at £892, and to that was added £537, to enable the tithe owner to pay the rates, and it must be remembered that in those days they had been accustomed to having rates run up to 10s. and 15s. in the £1, and even more than that. I am stating this to show why it is fair that we should ask for more extended relief than that proposed in the clause. There are lots of other cases of that sort, and they will be the most useful arguments to be brought forward as little additions to anything we may hear to-night about the great loss the tithe owners had to put up with through the Tithe Commutation Act. I do not desire to take up the time of the House unnecessarily, but I recognise this as almost my last chance on the point now before the Committee. If we do not carry this, we shall be giving our consent to a principle which is quite contrary, in the admission of the President of the Board of Trade himself, to the intentions of the original owners of the tithe and of the framers of the Act of 1836.

Amendment proposed, in page 3, line 8, to leave out the words "two-thirds," and insert the words "one-half."—(*Mr. Gray.*)

Question proposed, "That the words 'two-thirds' stand part of the Clause."

(7.38.) Mr. PICTON (Leicester): The hon. Member opposite addressed a compliment to us on this side of the House when he said that we were most of us interested in the small owners. He was quite right in the remark, but at the same time we are all more interested in the many than in the few. We are more concerned with the interests of the nation than with those of individuals, and it is on that ground that a good many of us believe that the Government have gone too far in this clause. It strikes me that they are digging a pit for themselves which will occasion difficulty hereafter. The hon. Member expects to hear a good deal of useless iteration as to the settlement of the tithe in 1836, and he says there is no bargain which is beyond the possibility of reconsideration. That may be, but we have to remember that on this occasion you have the nation on one side and individuals on the other. I say that no lapse of time can lessen the claim of the nation to property which has been affirmatively acknowledged to be national. No circumstance ought to stand in the way of the interests of the nation, and it is because I recognise tithe as a most valuable property of the nation in time to come, that I am opposed to the clause as it stands, and to the Amendment of the hon. Member for Maldon. Perhaps, however, enough has been said on that point. I should like to call attention to some practical difficulties which may arise if this clause or the Amendment of the hon. Member for Maldon should be carried. The hon. Member has spoken of the annual value. What makes the annual value? Surely, good farming makes it, and bad farming detracts from it. Well, if a man by bad farming reduces the annual value of the land considerably, and if it is found that, in consequence of that, the tithe has proportionably risen to more than half the annual value, is the nation to suffer on that account? The probability is that litigation would arise in regard to the cause of the depreciation. No man would see himself robbed through the idleness, or want of enterprise, or want of skill, shown by the occupier of the land. How are you to deal with experimental farms and charity farms, or farms belonging to industrial schools and lunatic asylums? There is a great charitable scheme now being started by the General of the Salvation Army which will require a number of farms to be taken. I see in Sub-section 3 it is proposed that the Income Tax Commissioners shall, on the application of the occupier or owner of the land, ascertain the annual value under Schedule B., and inform the applicant of the same. Well, when these lands are devoted to charitable purposes there is no annual value at all. Again, there are many farms let for three years, or even longer, at a nominal rent, the owner expecting to get an increased amount afterwards. The value of the land is small, and the tithe in these cases can easily rise beyond half or even two-thirds. I do not see any mode of dealing with these cases, and I think these are practical difficulties which ought to be encountered. I return to the point that the Act of 1836 gave to the people of this country a certain share and interest in national territory which is to hold good for all time, and I maintain that no change of circumstances ought to deprive them of it. We hear a good deal said about depreciation of agriculture, but this is not the time to argue the matter. All I will say is that I do not admit that the depression of agriculture is inevitable or permanent, or that it is necessitated by the position of this country. Holding these views, I protest against the two-thirds standard as laid down in the clause, as well as against the Amendment.

*(7.46.) SIR W. BARTTELOT (Sussex, North West): The hon. Gentleman who has just sat down declares that tithe is national property, and should be treated as such. I deny that doctrine, interpreted as it is by the hon. Gentleman. Tithes belong to the Established Church of this country, and are meant for Church purposes. To apply them to other purposes is, I maintain, spoliation. I support the Government in the matter of this clause. No doubt many tithe owners have thought the clause a severe one, but is there not a good reason for it, and one that has been given by some hon. Gentlemen opposite—that we must look to the interests of the nation as well as those of persons? Well, looking at the interests of the nation, I believe my right hon. Friend the President of the Board of Trade is wise and right in proposing this clause. He is wise and right, because he hopes that even the small modicum of relief which is to be given by this clause will prevent land from going out of cultivation. The hon. Gentleman opposite has no idea of the condition of many parts of England. If he will go down even to Kent, to Essex, and other counties in the east, and especially to the small holdings in Lincolnshire, and to Hampshire, Berks, and Wilts, he will see a state of things that will surprise him. There he will see land that once paid so well in wheat, but on which it does not now pay to grow wheat at all, and, as I understand, my right hon. Friend endeavours by this clause to keep that land in cultivation and to encourage owners of land not to throw it up but to hold on to it, even though they can only get a small amount from it—only sufficient to pay the necessary expenses of repairs. The hon. Gentleman does not know what are the necessary expenses in regard to land. Does he realise the efforts being made by landowners in regard to labourers' cottages? Does he know that labourers are infinitely better housed than they used to be? Will anyone take a farm nowadays, unless the buildings on it are sufficient, and in good repair? The Government are anxious not to destroy in any way the power of the owner to continue this work; nor to destroy in any way the solemn right to pay tithes; nor to deprive the clergy of any part of their income, unless under the circumstances described by my right hon. Friend. Had the Government thought fit to go as far as the Amendment of my hon. Friend (Mr. Gray) that might have been another matter. I understand that the Government feel that they cannot go beyond the lines of the Bill; but whatever their decision I shall gladly support them, because I believe they are showing an anxious desire to do what is in the best interests of the tithe owners. It cannot be for the interest of the tithe owner that land should go out of cultivation, for then he will get nothing. I am fortified in this view I take by a Memorial I hold in my hand—a Memorial sent to my right hon. Friend the President of the Board of Trade as well as to myself from the Chichester Diocesan Conference. A Committee was appointed to inquire into this question, and in their Report they say—

> "This Committee hereby express their approval of the Tithe Bill, and their gratitude to Sir Michael Hicks Beach, Bart., M.P., and the Government for having introduced it; and they would strongly and respectfully urge upon the Government the desirability of holding fast to its provisions in all particulars, thus carrying the Bill as it stands into law."

This is countersigned by no less an authority than the Bishop of Chichester. I mention this Memorial to show that there are clergy who think this a fair and right proposal looking to all the various circumstances of the case. We are anxious that, if possible, a fair and right settlement should be come to, and we shall feel in passing this Bill that we are doing justice to the tithe owner and to the tithepayer. I hope, therefore, that my right hon. Friend and the Government will stand firm by their proposals.

(7.55.) SIR W. HARCOURT: This is a very interesting Debate. There is considerable diversity of opinion on both sides of the House, and therefore I think the matter is favourable for a satisfactory settlement. My hon. and gallant Friend has made a speech which, I think, contained all the conflicting views, but I am quite certain what his own view is. He has come to the conclusion that he will support the Government, whatever they propose. That is his view, quite irrespective of the principles involved. My hon. and gallant Friend began by an indignant attack on my hon. Friend the Member for Leicester for holding that tithe is national property and ought to be preserved as such. The hon. and gallant Gentleman thought that a very wicked doctrine, and thought it involved the principle of spoliation. But I adhere to that wicked doctrine. I would, however, remind my hon. and gallant Friend that the author—I will not say the original author, but, at all events, a most distinguished promulgator of that doctrine—was my noble Friend the Member for Rossendale, who delivered himself of those sentiments in the town I have the honour to represent. My noble Friend was afterwards attacked by a posse of bishops, archdeacons, and other clergy, who demanded of him what he meant as a great Unionist statesman by enunciating such an abominable doctrine; and my noble Friend wrote a letter a few weeks afterwards endeavouring to explain away the mortal sin of which he had been guilty. Therefore, I hope that under the circumstances my hon. and gallant Friend will have some charity and mercy towards the hon. Member for Leicester. The hon. and gallant Gentleman has read a document purporting to come from the Diocese of Chichester. They are all most amiable people, as I know, in the County of Sussex, but I would appeal to the hon. Member for Maldon to tell us what the clergy of Essex have said on this subject. I have seen a statement in which they denounce this Radical Government as more atrocious in their conduct than any Government that ever existed in this country. In fact, if this meeting of Essex clergy had taken place in Ireland, I am not sure that it would not have been proclaimed and suppressed. It certainly would not have been allowed to take place on the stage in Paris. My hon. and gallant Friend, who is a great vindicator of the Church, approves altogether of the principle of this clause, and says the Government would willingly have gone further, but, I suppose, they had the fear of the bell, book, and candle before them, and that it was only a certain length they dared to go, so as not to appear before the world as the jackdaw did in the *Ingoldsby Legends.*

SIR M. HICKS BEACH: "And nobody was a penny the worse."

SIR W. HARCOURT: I beg your pardon. I have seen a picture of the jackdaw, and he certainly looks as badly off as other people might be supposed to look if, instead of being excommunicated, they were dissolved. I understand from my hon. and gallant Friend that the principle of this 3rd clause is that it robs the Church moderately. The only question is, how much is it right to rob her? That has always been in the history of this country a moot question. The position of the landlords, historically, has been that they will support the Church on the condition that they may be allowed to rob it moderately. You find that the history of Church property has been a history of moderate robbery inflicted upon it by the landed interest which supports it. One of the things done in the interests of the Church was the legislation which took place in reference to leases, and which ended in great advantage to the Church; but in the House of Lords the landlords came forward and demanded compensation, or a renewal of the leases. Well, that was a very moderate robbing of the Church. Therefore, I say, do not let my hon. and gallant Friend ride the high horse in this way when he says, "I am for the Church, do not let the Church suffer." He is only for robbing it to the extent of one-third. That is the extent to which my hon. and gallant Friend's conscience goes; but, on the other hand, the hon. Member for Maldon would rob the Church to the extent of one-half, and even he is more moderate than those who would rob it to the extent of two-thirds. The difficulty seems to be in what way we are to get at the exact amount. Now, Sir, what the House has to determine on this occasion is what should be the exact measure. I was a little astonished to find that people engaged in politics should have become so demoralised, that even the innocence of the noble Lord the Member for Darwen (Lord Cranborne) enables him to assent to this Church robbery to the extent of one-third. It only shows that he assents to this proposal of the Bill, against which he has hitherto had nothing to say. The only question is to what extent we shall go. There is my hon. Friend the Member for Leicester, who, with a virtue little short of that of Cato, is interested in the reversion of the tithes, and he says that, under all the circumstances, the tithes must be executed in favour of that reversion. Now, I am sorry to say I am not quite capable of that extent of virtue, and I do think that in this question of the tithe, the agricultural interest is entitled to some consideration. I should therefore like to know what are the views of the right hon. Gentleman the President of the Board of Agriculture on this subject. It would be very interesting to know what his notions are as to the exact extent to which this robbery should be carried in the agricultural interest. I apprehend that in the exercise of his function in regard to agriculture, rather than of any episcopal function in looking after the interests of the Church, he will tell us what are the exact principles on which the Government have come to the conclusion that one-third is the exact amount which ought to be taken from the Church—one-third, neither more nor less. Doubtless, he can explain the recondite and profound principles which have induced the Government to arrive at this conclusion. My hon. Friend the Member for Essex has referred to the question of agricultural values, and has made allusion to Hants. I reside in Hants, and speaking as to the small amount of land with which I am personally acquainted, all I can say is that I do not see how, in the case of a man with land occupied by himself, upon which he loses and cannot gain, you will be able to deduct two-thirds of the annual value. But putting aside the rather high-flown, although logical, principle of my hon. Friend the Member for Leicester, and looking merely at the justice of the case, I do think that when the tithe exceeds the value of the land it departs altogether from the popular and natural understanding as to what the tithe was. The tithe never was understood to be the whole value of the land, and even Melchizedek would have been astonished at hearing of a tithe which absorbed the whole value of the land. Therefore, I say some reasonable deduction ought to be made where the tithe is so excessive and the value of the land is so small. This may be a perfectly logical principle, but at the same time it is fair in dealing with those matters; and unless I am convinced by the right hon. Gentleman the Minister for Agriculture that the agriculturists are not entitled to this consideration, I shall certainly vote with the hon. Member for Maldon.

*(8.7.) VISCOUNT CRANBORNE (Lancashire, N.E., Darwen): I think we may be quite certain about one thing with regard to the right hon. Gentleman opposite—namely, that he will always make a very humorous speech, that he will always speak in opposition to the Government, and that generally we shall find him speaking more or less away from the point. With regard to the condition of agriculture, I think I can reassure the right hon. Gentleman on that point. I do not believe that even in Hants the state of things is anything like what he wishes us to suppose. Doubtless we have passed through a period of great distress. He does not seem to have had the opportunity of judging what the condition of agriculture really is. Perhaps he has lingered too long by his fireside to know what the condition even in Hants has been. For my own part, I propose to say one or two words upon the Amendment now before the House. A great deal has been said by my hon. Friend the Member for Maldon about the intentions of the Act in 1836.

MR. C. W. GRAY: The original donors of tithes.

*VISCOUNT CRANBORNE: That would be going back a very long way indeed. I am content to go no further back than the Act of 1836. It is said that the framers of that Act never could have intended that the condition of agriculture should reach such a point that the tithe would swallow up all the profits of the land. But it is impossible for us to ignore the state of things which has been brought about, nor to overlook the legitimate expectations of those now alive or their immediate successors. The real question for our consideration is, what are the legitimate views and expectations now entertained? I should not for one moment shrink from going into the question of how much the tithe has gained or lost from the cases that have been referred to. But this has already been gone into, and therefore I do not propose to trouble the Committee upon it especially, as I have already dwelt upon it on two previous occasions. What I will submit is that we must have some consideration for the poor tithe owners. In many cases the tithe owners are but poor men, and we ought not to take from them a single penny more than is just. Justice we are bound to do in this House to all parties, and we have no right to be generous with the tithe owners' money. Looking at it from the point of view that the tithe is national property, we must not be generous with the property of the nation, even for the purpose of benefitting the tithepayer. Therefore I submit that my hon. and gallant Friend the Member for Sussex was perfectly right in saying that the only good reason for making a remission of the tithe is in order to keep the land in cultivation. It is obviously to the disadvantage of the tithe owner, as to everyone else, that the land should go out of cultivation, and I am prepared to go all lengths to keep the land in cultivation, even although by doing so I might for the time being diminish the revenue of the tithe owners. That, as I understood it, was the spirit in which the Government introduced the Bill of last Session. What was preserved was the full profit of the tenant, and so much of the profit of the landlord as was necessary to keep the land in cultivation. The Government had now gone further. In my humble judgment they have gone a little too far. I am sorry they have gone to the length of the remission to the extent of two-thirds, but I may say this in their behalf, that under the Bill of last year there was not sufficient margin to cover the cost of cultivation to the landlord. Perhaps I have just used a wrong word. What I mean is that the landlord's legitimate expenses in keeping the land in cultivation probably amount to so much that the remission clause in the Bill of last year would either have left him or the tenant out of pocket. At the same time, I think the fraction now fixed by this Bill is rather too high. On this side of the House we held different views last Session, but the Government has established a sort of half-way house between us. They have proposed a sort of compromise; and I do not think my hon. Friend the Member for Maldon should be always asking for more; he ought to be satisfied, I venture to say respectfully, with the compromise. It seems to be a fair arrangement which commands nearly universal support on this side of the House; and considering the extreme poverty of the tithe owner, and the way in which the Government have endeavoured to meet my hon. Friend, I hope he will withdraw his Amendment and allow this part of the Bill to be passed.

*(8.17.) SIR JULIAN GOLDSMID (St. Pancras, S.): Sir, in my opinion this tithe belongs to the Church. I am not a member of the flock that meets there, but I go heartily with the Church on this occasion. This property belongs to the Church. ["To the nation."] The Church is for the nation. You propose to confiscate it for whom? For the benefit of the landowner. The hon. Member asks us to legislate for the extreme cases of a certain number of insolvent landowners. They must do as other insolvent landowners have done before them—sell their land and invest the money in some more profitable way. I do not see why we should rob the Church for the purpose of benefitting in many cases improvident landowners. Many of these landowners have bought their property within the last 20 or 30 years, subject to this obligation of tithe. They were prepared to meet the liability then; and now, when that liability is somewhat onerous, they come to Parliament for relief. I see no reason for doing so. I believe, as my right hon. Friend the Member for Derby has said, that it is an absolute case of robbery. With regard to the gentleman who owned gardens, may I remind the right hon. Gentleman that he has forgotten an ancient principle of his own. I remember once showing him the balance-sheet of a farm, and it proved that I, the owner, was not farming profitably. I remember that the right hon. Gentle-

man remarked that I had put nothing down for enjoyment of the farm, and that had I done so, he believed the balance would have been largely on the other side. Why I mention this is that I believe farming very often depends on the fancy of the individual. One individual may cultivate in such a way that there shall be no profit, and then, if there is no profit, he is to be relieved of one-third of the tithe at the expense of the Church. [" No."] It is so. The whole charge is now to fall on the landowner, and the tenant farmer will take land irrespective of the tithe paid by the landlord, merely considering what rent he can fairly pay for the land he is going to cultivate. As the land owner will have to pay the tithe rent-charge, it will be to his interest to look after the cultivation of his farm where it is let, though very often, I regret to say, landlords do not trouble themselves about it. They allow the most careless cultivation you can possibly see. I am speaking in the interest of the tithe owner and the tithepayer when I say that I do not see on what principle the Government make this proposal. As the Government are prepared to take a little from the tithe owner, no doubt the hon. Member thinks it a splendid opportunity to take a little more. But I think it ought to be remembered that if there is any argument at all in favour of robbing the tithe owner, it can only be this, that you are going to place the payment upon the landowner. The consequence of that will be that the tithe owner will have much less difficulty in collecting his rents, and, the expense of collection being less, it may be said that therefore some contribution should be made to the landlord because he is hard up. I, on the other hand, do not think that we ought thus lightly to part with what is national property as long as there is the Church of the nation. I, for one, will vote against the Amendment of the hon. Member.

(8.25.) MR. H. R. FARQUHARSON: We have heard a great deal of robbing the tithe owner, but I am one of those who look upon this Bill as a great deal more robbing the tithepayer. Our arguments have never been met; in fact, the tithe at the present moment is a great deal too high. In this Bill there is no relief whatever to the tithepayer. The noble Lord (Cranborne) referred to the poverty of the owners. I dare say they are in a bad way, and very much pressed. I am sure we have every sympathy for the clergy, just as much as the noble Lord (Cranborne). But it is very cheap philanthropy on the part of the noble Lord to say, "The tithe owners are so poor, therefore pass this Bill." In other words, help them out of the pockets of the tithepayers. This two-thirds has been described as a concession, but now we know from the hon. Baronet (Sir W. Barttelot) that it is nothing of the kind, but that it is proposed to prevent land from going out of cultivation. Any hon. Member acquainted with land will know as well as I do that it costs the landlord a great deal to keep his buildings and property in repair, and when you have the tithe exceeding two-thirds of the annual value of the land, you may be assured that the remaining one-third will not be more than enough for the maintenance of the property, leaving no profit whatever. This so called concession is nothing but an inducement to landowners to become bailiffs. I do not understand on what principle this concession is made. The good landlord, who has laid out thousands of pounds in the maintenance of his property, is to have no benefit whatever under this Bill; while the bad landlord, who has neglected his property, is to be the man to whom you are going to be generous out of the pockets of the tithepayers. That is going the wrong way to work. If the tithepayer is entitled to a reduction, it is not the bad landlord who ought to benefit, but the good landlord. I believe, and I have always said, that at the present time the tithe is 25 per cent. too high. I think the Amendment of my hon. Friend the Member for Maldon will enable more landlords to gain what is called this concession, and as it will improve the Bill, I have great pleasure in supporting it. (8.28.)

(9.0.) MR. SYDNEY GEDGE (Stockport): It seems to me that the ultimate destination of the tithe rent-charge is not a matter with which we need trouble ourselves at the present moment, so I can quite appreciate the motives of my hon. Friend the Member for Leicester, who, considering that the tithe rent-charge is national property, wishes to preserve it. The hon. Gentleman has declaimed against confiscation and spoliation. I hope he will continue in that frame of mind when real projects of confiscation and spoliation come before us. Whatever be the ultimate destination of the tithe rent-charge, whether it is to be confiscated by the nation or to remain as now, payable to private owners who have given good value for it in the market, or else to the clergy, who, in return for receiving it. have been charged with very valuable and important responsibilities, it surely is the duty of the Legislature to take care that tithe rent-charge is as easily collected as possible, and that it shall not press with undue severity upon any one in view of the the altered circumstances since the settlement of 1836. Any steps taken by the Legislature to make the recovery of the tithe rent-charge more easy than it was before does not appear to me any reason why the amount thereof should be diminished. There will, no doubt, be a sentimental advantage in favour of the tithe owner, but I hope the result of the second clause will be to remove a great deal of the objection of which we have recently heard so much. In passing that clause the Government have only acted rightly in the interest of the tithe owner, the tithepayer, and the country at large. But the passing of that clause affords no reason why the third clause should not be passed. If I thought there was any moderate or immoderate robbery of the Church in this clause, I certainly would both vote and speak against it. Again, if there was any robbery of the tithepayer, I would vote against it. It is not for the Legislature to do wrong or violence to any man or any interest, but it appears to me the effect of this clause will really be in certain cases, no doubt, to diminish somewhat for a time that which the tithe owner may demand—to diminish it for a time in the hope and reasonable expectation that in future years he will get all to which he has hitherto been entitled. This reduction is not to be made invariable. It is a reduction to take place only under certain circumstances which occasionally arise; it is not a reduction to benefit bad and do harm to good landlords, as the hon. Member for Maldon (Mr. Gray) endeavoured to make out. The reduction has only to do with the condition of the land. The Legislature has to look at existing circumstances, and it finds that corn-growing land is not cultivated at all. The reason is that it is not worth the while of the owner of the land to cultivate it, when there is a first charge on it called the tithe rent-charge, to an amount which he can scarcely hope to produce by the cultivation of the soil. The land goes out of cultivation, and the tithe owner who seeks for his remedy by distraining can find nothing to distrain upon. If he takes possession of the land he finds he has got a white elephant. [At this point Mr. Gedge walked several yards in the direction of the Gangway. The Chairman was conversing with Mr. H. Gardner.] I am afraid I was rather interrupting you, Mr. Chairman, and, therefore, I have moved further away. [*Cries of* "Order!"] Well, I will put it the other way: I could not get on while the Chairman was conversing with the hon. Member, as, of course, he has a perfect right to do. [*Renewed cries of* "Order!"] I do not wish to say anything that is out of order, and when I have collected my thoughts I will proceed. The point I was endeavouring to put before the Committee is, that under the present circumstances the tithe owners, who are for the most part the clergy, are suffering very considerably from the land going out of cultivation. I have known land that no one would take and pay the tithe rent-charge and other givings, let alone anything to the landlord. I therefore say to my friends, the clergy, many of whom have written me on the subject: It is very much better in many cases to take half than to stick out for the whole. Holding this view, I very heartily support the clause. I confess I should have thought three-fourths was a better fraction than two-thirds, and if the Government had seen their way to introduce the fraction of three-fourths in their Bill, I should have supported them with greater cordiality than I do now. I understand that the right hon. Gentleman the Member for Derby does not like the present plan of the Income Tax being the standard, and that he prefers that the County Court should be made, so to speak, a Land Court. That would be a very expensive process. If the County Court Judge were called upon to settle this question, experts would be called on each side, and a large array of counsel and solicitors engaged. The cost would be very great. As to arriving at the cost through the occupier's book, every one who knows anything of farmers knows that is impossible. I have never met a farmer who keeps proper accounts; and, therefore, to ascertain the profits through the occupier's books would be most difficult and costly.

(9.10.) MR. HENEAGE (Grimsby): I desire to explain in a very few words why I prefer the Amendment to the provisions of the Bill. But before offering that explanation I am constrained to demur to the statement of the hon. Gentleman (Mr. S. Gedge) that farmers do not keep accounts. There is proof that farmers do keep books, because they very often appear before the Income Tax Commissioners and are allowed remissions on showing that they have not made any profit. But on the present occasion we are dealing with hard cases, cases where land will go out of cultivation if some reduction of the tithe is not made. I took a great deal of trouble last year to find out what is the case of tithe throughout the greater part of England, and I found that tithe represented its own name, that is, it is more or less one-tenth of the income of the land. But there are a number of very hard cases indeed, cases in which it is almost impossible to pay the working expenses of the land or to get any rent for the land after the tithe is paid. These are the cases with which the President of the Board of Trade proposes to deal in this Bill. The only question between those who advocate two-thirds and one half is which of the provisions will meet the hard cases and which will not. What is proposed by the Bill is that a discretion should be given to the County Court Judges, who will take all the circumstances into consideration, to remit in cases where the tithe exceeds two-thirds of the annual value, either the whole of the excess or any part thereof, or if he thinks proper, none at all. The supporters of the Amendment desire to extend the County Court Judge's discretion, and I assert that there are many cases where the tithe is only one-half, which are very much harder cases than cases in which tithe is two-thirds. Let us take the case of two farms, both of 100 acres. Suppose that in one case the annual value is 30s. an acre. That will be what the landlord receives. He has to pay tithe out of that. If the tithe is 20s. an acre he will pay £100 out of the £150 he receives. That leaves him a margin of £50. Suppose that in the case of the second farm the land is let at 10s. an acre, and that the tithe is 5s. an acre. In that case the landlord will receive £50 and pay £25. I ask whether the landlord with a margin of £50 is not in a much better position than the landlord with a margin of only £25. Unless the matter is to be dealt with so that all the hard cases come within the limits of the clause we had better have left it alone altogether. It is no use indicating that tithes will be remitted in some instances unless you are going to do some good by such a measure. Many of us believe that if the discretion of the County Court Judge were extended to one-half, all the cases that need abatement would come within the purview of the clause, and we think there are a great many cases in Essex and Hampshire and in other counties which will not receive any benefit whatever under the provisions of the Bill as they now stand. It is said that to make the clergy give up any portion of the tithe is spoliation and robbery. But let us look at this question from a practical point of view. All clergy are not paid by tithes; some receive their remuneration from the glebe land. What has happened in their cases? In order to let their farms they have had to abate their rent 30, 40, and 50 per cent. And yet we are told that if one of two clergymen in adjoining parishes derives his income from glebe land and the other from tithe, while one has to give up half his income, we are not to take away from the other 5 or 10 or 15 per cent., because he is paid by tithe. I deny that there is any virtue in the word tithe any more than there is in the word glebe. The only question is whether the Government will yield this point and make a good job of the clause, or whether, by sticking to their own figure, they will avoid giving satisfaction on the one hand, whilst they depart from the principle of keeping the tithe intact on the other. The question is not what the amount of tithe is, but whether, after the tithe has been abated, there is a margin left which will pay rates and taxes and enable the land to be cultivated. If there is not, there is a risk of the land going out of cultivation, and the tithe owner runs the risk of losing the whole of the tithe. Will not the Government, therefore, leave the question to the County Court Judge, who, if he finds there is no ground for the abatement, will not give it? If we cannot trust the County Court Judge in one case we cannot trust him in another. I for one am very strongly in favour of keeping intact the property of the tithe except in these very hard cases, but I say if it is worth while to depart from the principle of keeping the tithe intact we ought to take care to bring within the purview of the clause all the cases which influence us in departing from it. I would therefore press my right hon. Friend opposite to yield to the appeals made to him from all sides of this House, and extend the discretion of the County Court judge to "one-half."

(9.20.) MR. H. T. KNATCHBULL-HUGESSEN (Kent, Faversham): I rise to say a few words in support of the Amendment of my hon. Friend. I do so with considerable reluctance, because I cannot disguise from myself the fact that those who do so may find it hard to defend themselves against a charge of confiscation of property. But if it is so with regard to the Amendment, it is also the case in reference to the Bill. I do not think that those who supported the Government in their legislation in 1887 with respect to judicial rents need be very squeamish in this matter. I support the Amendment as a Tory because I believe it to be a case of absolute necessity. I should be most unwilling to tamper with the rights of property, or to create a precedent for confiscation, but I cannot help looking at things as they are. It has been said that we are altering the Act of 1836, and that that measure was a final settlement of the tithe question. I am a *laudator temporis acti*, but I cannot contend that a measure passed nearly 60 years ago, and which was adapted to the circumstances of that time, must be adapted to the circumstances of the present time also. I have myself for some time believed that the ultimate settlement of the question will be found in a revaluation of the tithe, but as far as I can see there is no chance at present of that being undertaken. I regard the the argument of my hon. and gallant Friend the Member for Sussex (Sir W. Barttelot) as conclusive for the Amendment of the hon. Member for Maldon. I believe the adoption of that Amendment to be necessary in order to save from absolute ruin a portion of the agricultural community. I cannot think it ever could have been contemplated by the Act of 1836 that the value of the tithe might exceed the value of the land to the extent recognised by the Government, or to the extent covered by the Amendment of my hon. Friend. Anxious as I am to maintain the rights of property, and conscious as I am that what we are doing now may be said to be injurious to those rights, I shall certainly vote with my hon. Friend (Mr. Gray) if he goes to a Division. I cannot but think, however, that the course we advocate can be pursued without any confiscation at all. I cannot see why some compensation from some source or other could not be given to those who are to be deprived of their property in this way. It has been proposed that compensation should be given from the Consolidated Fund, but that has not been generally accepted by the House. But, whether from that source or from some other, a very moderate amount of compensation might be found. It would operate only in a very small number of cases. If the Government can propose some way of compensation, they will not only smooth the passage of the Bill, but will undoubtedly earn the goodwill of those who, I maintain, have some right to consideration.

*(9.26.) MR. HOBHOUSE (Somerset, E.): In considering this Amendment, we ought not to forget the principle of the Bill, which is not to transfer any money from the tithe owner to the tithe-payer, but to alter the method of recovery in a way that shall be just to all parties. It has been admitted by the mover of the Amendment that the tithe is the first charge on the land. If it is so, it seems to me, that the only justification for its remission as proposed in the clause is the public ground that the land may otherwise be driven out of cultivation. Therefore what the Government have to show, is, that the reduction they

propose is necessary, in order to prevent that being done in certain hard cases. I have listened in vain for figures to show that it is necessary to give a greater reduction than is proposed by the Government. The margin proposed by the Government seems to me perfectly reasonable, and in considering the clause we must not forget what the tithe owner gives up under it. It is not merely a remission for one year, but where the land goes out of cultivation he gives up the right to recover two years' arrears of tithe on its being again cultivated. That seems a very substantial *quid pro quo* in adjusting the conflicting claims of the tithe owner and tithepayer. My right hon. Friend the Member for Grimsby (Mr. Heneage) has spoken of the discretion of the County Court Judge, but I would point out that the clause gives him no discretion. When it is shown what is the difference between the tithe rent-charge and the two-thirds of the assessment under Schedule B, the Court "shall order" the difference to be remitted under the clause. It is therefore imperative on the Court to make the reduction. I would further add, it is very undesirable to give the Court any discretion. It is very desirable, in the interest of peace between the parties, that tithe owner and tithepayer should know their rights exactly, that they should not be driven to the County Court in the hope that they may get some assistance from the exercise of the discretion of the Court. The Debate has shown that there is no reasonable ground for increasing the amount of reduction proposed by the Bill, and I hope the Government, in justice to both parties, will maintain the proposal they have made.

(9.31.) MAJOR RASCH (Essex, S.E.): I venture to think that the reasons advanced by hon. Gentlemen on the other side are equally applicable to the Amendment and the clause. For myself, I shall certainly vote for the Amendment of my hon. Friend. I confess I have some difficulty in doing so, because in that part of the country with which I and some of my friends around me are acquainted, meetings have been convened by clerical tithe owners and resolutions arrived at denouncing the proposals as sacrilegious plunder, and so on, while, at the same time, other meetings have been held by tithepayers unanimously condemning both the proposals of the Government and the Amendment as futile, reactionary, and a waste of time, both parties being in absolute unanimity in stating that they will never, under any circumstances, vote for a supporter of the present Government. I shall certainly vote for the Amendment, nor do I think it necessary to express any further reasons than those which have been given for doing so.

*(9.33.) MR. C. T. ACLAND (Cornwall, Launceston): I have always maintained, and I do so now, the principle that tithe is national property, and on that principle I cannot see why we should consent on the part of the nation to a reduction of the tithe beyond what is absolutely necessary. Why go beyond that to give relief in a very small number of cases, and a relief which in any case can only be partial? I quite believe there is reason for doubting whether the Act of 1836 still remains an adequate settlement of the question of tithe, and that if we went into the whole question good reason would be found for coming to some other arrangement than that which at present exists for ascertaining the value of the tithe. But I am certain that no increased reduction, such as is proposed by the hon. Member, will meet the case of the yeoman farmer, of whom he has spoken with so much sympathy, or any other class. I believe there are hard cases spread over many parts of England, where freedom from present heavy burdens is necessary, and I quite admit there is a great deal of land in a condition from which all who wish well to the interests of the nation desire to see it relieved. But I do not think the proposal of the hon. Member for Maldon will meet the difficulty; and I hope the Government, although they may be in a somewhat uncomfortable position between the tithe owner and the tithepayer, will stand by their proposals. In order to keep the land in cultivation, and, at the same time, in order that the tithe owner may get something, I conclude that the Government have sound reason for going the distance they have, and I shall therefore oppose the Amendment.

*(9.35.) SIR ROPER LETHBRIDGE (Kensington, N.): It will seem perfectly clear to anyone who has listened to the Debate on this Amendment that the difference between the proposal of my hon. Friend and the proposal of the Government is little more than the difference between tweedledee and tweedle-dum. ["No!"] My hon. Friend says "No;" but, as a fact, the remission in either case will refer, not to a very large number of cases throughout England, but in either case the remission will refer to cases where hardships have undoubtedly been proved. I am one of those who strongly object to any tampering with the rights of property, and I shall assent to either of these proposals with reluctance, and only on the ground of extreme hardship proved. I entirely agreed with the right hon. Gentleman the Member for Derby when he most ingenuously confessed that this proposal—both of these proposals—involved a certain amount of robbery of the Church, or, as I would rather prefer to put it, of confiscation of the property of the tithe owner. It is true that in one case the robbery—or what the right hon. Gentleman calls robbery, though he votes for it—would be in a moderate degree, and in the other case in a somewhat larger degree; but still, as the Bill stands, and unless a further Amendment be carried, which I am informed cannot in order be moved, unless such an Amendment be carried involving compensation, in either case there is a certain amount of objection to the principle involved in this proposal. I am perfectly prepared to admit that if compensation were possible — if the Government would suggest that either from the Consolidated Fund or from the fund at the disposal of the Ecclesiastical Commissioners, or from any other source compensation could be afforded, then I would say, however this Amendment is decided, there would be no further danger in it. The proposals of the Government might be carried, or the proposals of my hon. Friend the Member for Maldon. But I do ask the Committee to recognise that in either of these proposals there is an act of confiscation, and I do think that this Legislature has never yet, with its eyes open, consented to an Act that is one of confiscation without compensation. When we take up land for the purpose of street improvements we do not simply take that land from the owner—we give him compensation. It has been said that in such a case the principle of betterment should come in; but that does not in any way apply to property in tithe, for the remainder of the tithe does not become of greater value. The right principle is that disclosed in the speech of the right hon. Gentleman the Member for Bury (Sir Henry James) in relation to another Amendment. When he was speaking, I think with regard to the schedule of costs, he pointed out that the public itself benefited from the Bill, and therefore he said in this connection that the public might well make some little sacrifice for the Bill. I venture to suggest to the Committee that the public might make some little sacrifice, in the way of compensation from the Consolidated Fund, to obtain this valuable effect—that the land would not be allowed to go out of cultivation because the tithe presses too heavily on it. In support of this proposition, to which I claim the support of the right hon. Gentleman the Member for Bury, may I point out that whichever of these proposals is carried, the tithe owner will be mulcted in a certain amount of property, and, further, there is no doubt that the landowner will be liable for the first time to a new charge upon his property. It has fallen upon the property before indirectly, no doubt—but now there is a direct liability upon the landowner. Therefore both the tithe owner and the landowner are called upon to make some sacrifice for the public weal, and I venture to think that the public might consider this proposal for compensation in the interests of the two parties. One other consideration I venture to submit. It is an undoubted fact that the agricultural depression of the present day is mainly, if not entirely, owing to causes from which the whole of the community have derived a benefit. It is very largely owing to the free competition of foreign corn and foreign agricultural products. Therefore, I submit that the community at large does benefit, first of all, from the agricultural depression that has brought about the necessity for such a Bill as this; secondly, from the new liabilities to be laid on the landowners by the Bill; and, lastly, from the sacrifice

which the tithe owner is called upon to make in these proposed remissions. If all these changes be for the public benefit in these three forms, then I say that the Government will be justified if it asks the Committee before this Bill leaves us to recommend some means of finding compensation for those who will be injuriously affected by the Bill. I, therefore, shall be prepared to support the proposals of the Government in regard to the cutting down of the tithe owner's property; but I do hope that the Government will consider the suggestion I have made in regard to compensation, and I feel certain that should they see their way to accept it they would have the approval of the community generally.

(9.40.) MR. F. S. STEVENSON: I do not propose to follow the line of argument adopted by my hon. Friend the Member for North Kensington, who addressed himself to an Amendment that he has on the Paper, but which, I think, it is not competent for him to move. The Amendment we are considering at present does not involve any question of principle. The principle is conceded by the proposal of the Government. If the Government had not made their proposal there would yet be a question of principle to decide. But this is only a small question of the difference between two-thirds and one-half, a difference of £ s. d. amounting to one-sixth of the total amount. The only question now is, which of the two proposals is most practicable and will be most beneficial. If the Committee were discussing a question affecting some distant planet, then the stern and pitiless logic of the hon. Baronet the Member for St. Pancras and of the hon. Member for Leicester might prevail. But, fortunately or unfortunately, the world is not governed by purely logical, but by practical considerations. We have to consider to what extent each of the two proposals before us is most likely to meet the special circumstances of the case. These proposals are not of a general character; they are designed for the purpose of meeting special incidents of the prevailing depression, of meeting exceptional cases which appear to call for exceptional remedies; and they must be judged from that point of view. If we look at the matter from that point of view, it will be found that the proposals of the Government are not sufficient to meet the requirements of the case. What is meant by the annual value under Schedule B? It is arrived at by adding together the rent and the tithe rent-charge, and by deducting from the sum total one-eighth of the whole. How is that principle applied to the cases which have to be considered in the event of either proposal being adopted? A paper has been circulated giving a list of 20 farms, situated in Berkshire, Hampshire, and Wiltshire. Those farms amount to 10,000 acres, with £1,700 of rent and £2,300 of tithe rent-charge. But if the proposal of two-thirds, as suggested by the Government, is adopted, the amount chargeable will really be in excess of the sum forthcoming, and there will be no remission at all. On the other hand, if the Amendment of the hon. Member for the Maldon Division were carried, there would be an actual remission, and the proposal would be operative. I am not, however, particularly enamoured of either proposal. We desire not so much an Amendment of this character as the incorporation of the principle of a general revision of tithe; but of the two proposals before the Committee I prefer that of the hon. Member for Maldon. We have to deal with certain special hard cases, in which the land is actually being thrown out of cultivation. It is not a proposal which affects the larger landowners, but it affects in a special degree the yeomen farmers, the men who own their land.

(9.53.) MR. JEFFREYS: I confess I have great misgivings as to the wisdom of this clause at all. I regret that the Government have thought it necessary to insert it in the Bill, because, in the first place, it distinctly interferes with the right of property as it exists in the tithe rent-charge. Indeed, if the Committee look at the Paper they will find that the hon. Member for Northamptonshire goes even further than this proposal of the Government for interfering with the tithe, and proposes that the rent in those cases shall also be reduced. Both the tithe owners and landowners are thus being attacked; and I think it is a matter of regret that this unfortunate precedent should have come from the Conservative side. I have a great deal of sympathy with the poor tithepayers; but I wish that the Government could have found a plan of relieving them in some other and better way, as, for instance, by a different manner of calculating the corn averages. It seems to me that the last speaker did not make a sufficient difference between the proposal of the Government and that of the hon. Member for Maldon. It is said that Schedule B is Schedule A *plus* the tithe, and the proposition of the Government is that when the tithe exceeds two-thirds of that sum then remission is to be given; but the hon. Member for Maldon says that whenever the tithe equals or exceeds Schedule A then the remission is to be given. So I understand the proposition. It is perfectly clear there is a great difference between the two proposals, and, as the lesser of the two evils, I shall support the plan of the Government. There are, I am sure, few cases where the remission will be necessary, and their number may be easily ascertained. There is not sufficient ground shown for the interference with the rights of property, and I regret the Government should have introduced the proposal.

*(10.0.) MR. T. H. BOLTON: In my opinion, we Radical Members are bound to vote against this Amendment, and we shall stultify ourselves if we do not. We have been contending throughout these discussions that tithe is the property of the nation, and that, with due regard for existing interests, it ought to be applied to public purposes. A proposal has been made by the Government for alleviating the pressure of tithe in certain hard cases, and we did not object; but now there is a further proposal which means, if it means anything, an unnecessary whittling down of the public property. The landowner is in a fortunate position in respect of tithe. If tithe were an ordinary rent-charge, and it were not paid, the land would be sold to provide for it. In regard to tithe the land cannot be sold, and distress can only be levied on the produce of the land. Now, when the landowner is in difficulties he comes and asks for abatement and consideration. There is a disposition to grant an abatement to a certain extent, and he ought not to look a gift-horse in the mouth. After all, the proposed remission is nothing more or less than a concession. We are providing machinery by which the rent-charge shall be recovered from the landlord, and to propose to reduce the charge further than is suggested out of generosity by the Government is to take unjustifiable advantage of the desire to treat the landlords leniently. We have got to face in the future the large question of tithe redemption—the sale of the tithe to the landlords—and we must bear that in mind when we are asked to make concessions. It has been well said by previous speakers that no such cases of absolute hardship have been made out as to justify any concession beyond that proposed by the Government; and it seems to me that we should display an amount of generosity that would be unjust to the public at large if we acceded to the Amendment. I differ from gentlemen opposite who say that the tithe is the sacred property of the Church, and ought not to be touched. It is public property, and has been declared over and over again to be public property. If you go back to distant times you will find that tithe was largely applied to other than Church purposes. The poor had a large interest in it, and it was devoted to other secular purposes. I shall support the Government on this point, and I trust that my Radical friends on this side will not allow any desire they may have to punish the Government in the forthcoming Division to induce them to desert the principles they have so frequently expressed.

*(10.5.) MR. BEADEL (Essex, Chelmsford): I am not disposed to admit that tithe differs from any other kind of property. I should be very much indisposed to take land or Consols or any other property from individuals on the assumption that they were national and we have no more right, in my opinion, to attack tithe than we have to attack any other description of property. I was much struck by the observations made by the hon. Member for Leicester (Mr. Picton). Certainly, as far as I can form an opinion, the hon. Member never used a spade, even in his younger days at play on the seashore, and never possessed an acre of land in his life, or he would not have made some of the observations he did.

Those who are acquainted with agricultural land know what sufferings landowners have undergone, and what efforts they have made to keep tenants on their estates. I admit they have done so from a selfish point of view, knowing that if they let the land go out of cultivation they lose more than their rents; but the effect of their action has been that the largest amount of labour has been employed on the land, and the greatest amount of good has been done to the community at large. I know Members opposite glory in thinking that the landed interest has been reduced to such a low ebb. [*Opposition cries of* "No!"] I have heard many of them say they rejoiced to see it, and that rent ought to be the very last consideration. I have heard the senior Member for Northampton (Mr. Labouchere) say that rent was simply the surplus. ["Hear, hear!" *from the Opposition.*] Hon. Members cheer that. Then they agree with him that the landlord is not worth any consideration, and that the great object should be to take that which he had hitherto possessed and give it to someone else. I am not prepared to approve of such a view. If I may do so, I would ask the hon. Member for Maldon (Mr. Gray) not to press his Amendment to a Division. I feel as strongly as anybody the difficulties in which the small farmers are placed with regard to tithe. I know that the result of the free importation of corn in Essex and other counties has, in many instances, been to put wheat-lands out of cultivation altogether. I could quote a case of a farm which used to let at £300 a year, and now cannot be let at all. Such instances could be multiplied over and over again. I do not approve of the Tithe Bill, and wish the Government had never brought it in; but, still, I think it my duty as a loyal supporter of the Government to vote against this Amendment, because I believe they must sooner or later be convinced that it is of no use to trifle with this question of the land, and that they must bring forward some measure with the object of putting the farmer in a better position. Before I sit down I would appeal to the hon. Member for Saffron Walden (Mr. H. Gardner) on this question. Nobody knows better than he does the position of many of the tenant farmers in his Division, and I think he will shake in his shoes when he comes to meet them face to face.

*(10.12.) MR. G. OSBORNE MORGAN: I think it is high time, after the speech we have just heard, that some one should make clear the attitude of the Welsh Members on this question. The form, Sir, in which you will put the Question will be "That two-thirds stand part of the Clause." On that Question we intend to vote "No" with the hon. Member for Maldon. Judging from the aspect of the House, I cannot help thinking that we shall be successful. If we are it will then be open to us, holding as we do with my hon. Friend behind me (Mr. Bolton) that tithes are a national asset, to support the Amendment of the hon. Member for the Carnarvon Burghs, or the hon. Member for Merthyr, against the whole clause. Before I sit down, I would express a hope that we may get some words of light and leading from the Treasury Bench on this question. It looks to me very much as though there is a conspiracy of silence in that quarter of the House.

(10.14.) MR. H. GARDNER: An appeal was made to me just now by an hon. Member opposite (Mr. Beadel), who said I should shake in my shoes when I met the farmers of my Division. I can assure the hon. Member I stand firm on my feet with regard to these farmers, and that I shall stand still firmer when I have voted for the Amendment of the hon. Member for Maldon. Every impartial person who has listened to the Debate, when he considers the technical nature of the subject, and the diverse opinions which have been uttered, though he will be somewhat confused, will come to the conclusion that the Amendment of the Government is universally condemned. The Amendment especially interests hon. Members who come from agricultural parts of the country—and I particularly notice that hon. Members on this side who have opposed the Amendment do not represent any county constituency; if they did, I fancy they would take a wider view of the subject. The hon. Member for Leicester talks about tithe being national property. Well, I do not yield to anyone in my advocacy of that principle, and in contending that it is in the power of the nation to allocate it to any other purpose when it chooses. I shall, therefore, on this, as on all other occasions, do my utmost to prevent the tithe from falling away from the nation altogether. But I would point out that there is such a thing as agricultural distress. I am aware that the noble Lord the Member for the Darwen Division has re-assured the House as to the condition of agriculture—that is to say, he re-assured himself; but I doubt if he re-assured the hon. Member for the Maldon Division, or the right hon. Gentleman the President of the Board of Agriculture. I should like to hear something on the subject from a higher authority than the noble Lord. We assented with pleasure to the creation of a Board of Agriculture, and I do think that on a subject like this, which so nearly touches the interests of the agricultural constituencies, we ought to hear what is the opinion of the President of that Board. Hon. Members who look forward to the creation of a peasant proprietary in this country should not overlook the possible effect of an increase in the number of cultivators upon the continuance of tithes and the probability of their being abolished altogether, as they have been in other countries. For my part, I agree with a good many hon. Members who have spoken this evening in condemning the clause of the Government altogether, and I do so for the reason that it stereotypes tithe, and pledges us, as it were, to the admission that two-thirds of the annual value is legitimate tithe. I speak for the farmers of Essex, when I say we do not admit that two-thirds of the annual value is fair tithe. It has been said, over and over again, that tithe should not be one-fifth the annual value. The Government, however, ask that we, as a Legislative Body, should agree with them, and put it on record that we who represent agricultural interests consider that two-thirds of the annual value is legitimate tithe. With that proposition I entirely take issue. The cases which will be affected by the proposal are few in number. An hon. Member mentioned 100 as being the probable number that would be affected, and I agree with that estimate. I believe that if you adopt two-thirds of the annual value as your criterion, you are leaving out a large number of cases of hardship which should be attended to. And I do not agree with your taking the Income Tax assessment as a standard at all. I should think it a much wiser course to have some Court of Appeal, as the Attorney General suggested in 1888, when he proposed that the County Court should have the power to consider what charge land would bear without being put out of cultivation. To adopt the Income Tax assessment would be to prejudicially affect many thousands of yeomen farmers who have made no profit during last year. In Kent alone, the number of small cultivators cultivating their own property is very great, and these persons, I am sure, are a class which we all wish to maintain in its present position. In the case of these persons, when they can prove to the satisfaction of the Income Tax Commissioners that they have made no profit from cultivating their farms during the year their Income Tax is remitted, but you still take that assessment in carrying out this clause and estimating what tithe should be paid. I ask the Government what they propose to do to remedy what appears to me to be a flaw in their proposal for dealing with the small yeomen who cultivate their own land; and I trust that before the Debate closes we may have some statement on the point from the President of the Board of Trade or the President of the Board of Agriculture. I said I was opposed to the clause altogether, and I see that I am in good company in that matter, for I find that gentlemen on both sides of the House condemn it in every way. A colleague of mine opposite referred to a meeting which had taken place in Essex—a county in which, as everyone knows, this tithe question is of pressing importance. It is in that county where there is so much derelict land—and if anyone who doubts the fact of land being over-burdened with tithe will do me the honour of giving me an hour or two in conversation, I will give him any number of instances to prove the truth of my case. Well, the Chamber of Agriculture of that county have passed a resolution absolutely condemning the proposition of the Government. That was on the side of the tithepayer, but how about the tithe owner? I find that the clergy have held a stormy meeting, in which this 3rd clause of the Bill was strongly condemned, one reverend gentleman describing it as iniquitous, and declaring that, "It would fan the fire of tithe agitation in Wales, and help to kindle it in England." I have not the slightest doubt that that gentleman was a strong supporter of Her Majesty's Government. I think we may take it, therefore, that this clause of the Government has been condemned on all sides alike, whether by tithepayer or tithe owner. Under these circumstances, I shall certainly vote with the hon. Gentleman opposite, though I will not for a moment admit that the road he takes is absolutely the true one. He may be right in some cases, but he is wrong in others; and, altogether, this shows the slipshod method in which the Government have dealt with a very difficult question, and how much wiser it would have been to have adopted the course suggested by their own Attorney General in 1888.

*(10.28.) SIR M. HICKS BEACH: In the remarks in which the hon. Member for Maldon introduced this proposal he made considerable reference to the position of the yeoman freeholder, and appealed to the Government in his interest. On the other hand, we have been appealed to on behalf of the poor clergyman and the tithe owner, and, for my part, wishing to decide the matter without regard to sentiment, I believe that the clause strikes a middle course, and does justice, as far as possible, between tithe owner and tithepayer. I have listened carefully to the Debate, and have considered many communications that have reached me from all quarters of the country, and I believe that the Government propose to do what is just as between both parties. One evidence of that is that the extreme advocates on either side do not agree with the Government. The right hon. Gentleman the Member for Derby (Sir W. Harcourt), in the very amusing observations he made at an earlier part of the evening, said that this was no Party question, and I think he was quite right. He went on to show that, being no Party question, it was one on which he was able to give an unbiased judgment. In giving that judgment, he first declared that both the proposal of the Government and that of the hon. Member for Essex were robbery of the Church; but later on he announced himself as a greater robber of the Church than we were, and justified himself on the ground, which appears to be a perfectly adequate ground for the proposal in the clause, that he is in favour of preserving the *corpus* of the tithe, while making the necessary revision in case of hardship. That is a very sound opinion; but what then becomes of the argument of the right hon. Gentleman as to robbery of the Church? The Government have endeavoured to carry out what appeared to be the general desire of the House of Commons, namely, that the tithe rent-charge should not exceed the net profits derived from titheable lands by the landowner. Adopting that principle, we have had very considerable difficulty in making such proposals to the House as would carry it into effect. In the present Bill we propose that the gross assessment under Schedule B of the Income Tax shall be the basis of the calculation of what the net profits of titheable land are. Some hon. Members object to such a proposal as giving too much to the landowner. But it must be remembered that the assessment under Schedule B is a gross assessment, and if we are considering the net profits of the landowner it would be obviously unfair to take the gross assessment as the criterion of that matter. Therefore, the Government propose to deduct 33 per cent. from the gross assessment as a rough estimate of the cost of repairs and management of the estate. It is obviously to the interest of the tithe owner himself, as well as of the landlord, that the tithe should not exceed this point, because if the landlord be not able to keep his land and the buildings on it in such a condition as to hold the land in cultivation, the tithe owner would be in a very awkward position. He might lose very much more in such cases than he would do under the provisions of the Bill; in some cases he might lose even the whole of the tithe rent-charge. Several hon. Members have argued that the deduction which the Government propose is not enough; but I have heard nothing to convince me that the proposal does not do enough for the end which the Government have in view. If hon. Members wish to take the gross rent of the land, and make a division of it between the tithe owner

and the landowner, then there would be reason for the more far-reaching proposal of my hon. Friend. But that would be an extremely dangerous principle for my hon. Friend to adopt. It would certainly lead to such a proposal as that placed on the Paper by the hon. Member for Northampton for a division of the rent between the landlord and the tenant. I do not desire, I am bound to say, to give the slightest justification in anything we may propose to the House for a measure of that kind. The hon. Member for Kent, in supporting the Amendment of the hon. Member for Essex, said that he did so with some idea of compensating the tithe owners to some extent from public funds for the tithe rent-charge which they would lose. I hope no hon. Member who votes for the Amendment will endeavour to salve his conscience with that idea. It would be utterly impossible to make successfully a proposal to the House of Commons which would involve charging the taxpayers with payment for the losses of the tithe owners. I hope the Committee will adhere to the proposal made by the Government. I would venture also to point out to hon. Members behind me that if they are successful in defeating the Government's proposal they will do so with the aid of votes which will be turned against them in the next Division. I would suggest to my hon. Friend the Member for Maldon that half a loaf is better than no bread.

(10.37.) SIR W. HARCOURT: I think that the last sentences of the right hon. Gentleman are an admirable commentary on his statement that the question is not a Party question. A more distinct Party appeal to settle a question, which he said was not a Party one, I think I never heard in this House. The right hon. Gentleman has put forward a singular claim for the merits of his proposal. It is that, inasmuch as everybody has disapproved of the proposal, it must be a good one.

*SIR M. HICKS BEACH: I said the extreme advocates on either side.

SIR W. HARCOURT: In that case every hon. Member who has spoken this evening from either side of the House is an extreme advocate. The right hon. Gentleman accused me of having formerly taken a different view as to the diminution of the tithe. But in the proposal of 1889, which I supported, the net profits from the land were to be assessed by the County Court Judge. Does anybody pretend that that proposal would not have done much more good than the present one? How many hundreds and thousands of people would have gone before the County Court Judges to prove that there were no net profits whatever on their farms, and the tithes would then have gone by the board? I very much regret that we have not had the views of the President of the Board of Agriculture. He represents that great interest in every sense of the word, yet upon this proposal he has not had a word to say. Why, he might have risen and with his eloquence tamed the rebellious spirit of his supporters. He might have enchanted them, like Orpheus with his lyre. I appealed to him, for he was here until very lately; but now that the time has come to defend the policy of the Government, exit the Minister. I am very often convinced by the speeches of the President of the Board of Trade, but I am not upon this point. He tells us that this figure of two-thirds which he has hit upon is exactly so much of an allowance as will enable the landlords of England to keep the land in cultivation, and from that point of view it will be of benefit to the tithe owner. That is the only justification which has been offered for this proposal. Will it do what is expected? Everybody knows it will do nothing of the kind. My hon. Friend the Member for Southwark, in his very clear statement, has given us some figures which show that in the cases of hardship he has adduced in regard to certain farms which he has taken as models of injustice the tithe greatly exceeds the rent, and that in those cases the proposals of the Government make no reduction in the tithes at all. Everybody knows that this must be so in a great number of cases. What, then, becomes of the "live and let live" principle on which the Government propose to come between the tithe owners and the tithe-payers? The right hon. Gentleman will excuse me if, in selecting between the two robbers—or, perhaps, the hon. Gentleman behind me who supports the proposal would rather I should say the two confiscators—I prefer the confiscator who does some good to the one who does none; and if the principle maintained by the right hon. Gentleman the President of the Board of Trade be a good principle—that is to say, if it be a principle that will allow the land to be kept in cultivation, I think the proposal of the hon. Member for Maldon is a better one than that of the right hon. Gentleman, because it will at least do something towards contributing to the end which the right hon. Gentleman says he has in view. I do not wish to delay the Committee longer. So far we have had a very interesting Debate, and we have now to vote on the question whether we approve the proposal of the Government. When we have expressed our disapproval of that proposal we have a large choice of the courses we ought to take. In fact, I never knew so large a choice offered to the House. We have every kind of proposal before us. The hon. Member for Leicester does not propose to cut down the tithe at all, and he would vote against the Government, and probably will vote against the hon. Member for Maldon. In this way we have all kinds of permutations and combinations to choose from. This is the result of the Government breaking down a principle. The Government have the landowners behind them, and when they do get the landowners in that position they feel that they are bound to give "a sop to Cerberus" of some kind or other. But the sop they have thrown has not put Cerberus to sleep, and that is the only object of the sop. This is a great question—in fact, I may almost say there is no larger question than the tithe question. Her Majesty's Government have endeavoured year after year to deal with it, and they have done so by wretched expedients, propounded one after the other, and all inconsistent with each other; and now, having broken down the principle of the Act of 1836, and determined to take a little slice off the tithe for the benefit of the gentlemen with whom they act, they propose to take off a slice which, as far as we can see, is not big enough. But we are not responsible for this, and I will conclude by saying that in the Division which is about to take place I, for my part, shall vote against the proposal of the Government.

(10.49.) Mr. LABOUCHERE (Northampton): My hon. Friend has asked why the right hon. Gentleman the Minister for Agriculture is not here, and why he has not made a speech on this subject. Well, Sir, I can explain why the Minister for Agriculture is not here. He is one of the extreme men who were denounced just now by the right hon. Gentleman the President of the Board of Trade. Probably the Minister for Agriculture goes even further than the hon. Member for Maldon, and would have a larger slice of the cake if possible; therefore, he does not like to speak against the hon. Member for Maldon, and I shall look with the greatest interest to see whether he gives a silent vote against him. Last year I put an Amendment to the Estimates on the Paper to reduce the salary of the right hon. Gentleman; but I did not happen to be in the House when the Vote for the salary of the right hon. Gentleman came on, and so he got his salary. But certainly if when a question like this is being discussed the right hon. Gentleman does not favour the House with his opinion, nor give it his advice, I consider that we ought not to pay him £2,000 a year in order that he may be at liberty to slink out of the House when his assistance is needed, or to give a silent vote. Really, Mr. Courtney, I thank my Maker—[*Laughter*]—well, I have a Maker—I say I do thank my Maker we have at least a Septennial Act, and, therefore, that this Parliament will come to an end at some time. But I believe, when I consider the divers blundering proposals that are here submitted, that if this Parliament were to go on to the extent of the Long Parliament we should not have a shirt on our backs, because we should give everything to the country gentlemen and those who support Her Majesty's Government. I confess I have not got up in defence of the Church of England; indeed, I should like myself to take away every farthing at present owned by the Church, because I regard it as national property; but I cannot help smiling when I observe the friends of the Church and the friends of the landlords falling out about the plunder. They plunder the public as long as they can, but now they find that an election is not far off, and that it is dangerous to attempt to plunder the public any longer, they try to plunder each other. We are told when any raid is committed in Africa it is to put an end to slavery, and when any proposal is made to benefit the landowners the yeomanry of England are trotted out. We are, therefore, told that this is to benefit the yeomanry; but, if so, why does not the right hon. Gentleman the President of the Board of Trade tell us he will limit his proposal to the occupying owner? If he did that there would be some point in it; but that is not the object of Her Majesty's Government. What they want to do is to benefit the landlords of the country; it is as clear as possible. He tells us that the land will be thrown out of cultivation, and that it is thrown out of cultivation on account of the tithe, and that when the rent does not amount to one-third of the amount of the tithe the tithe is to be taken—out of whose pocket? The tenants'? Not a bit of it. It is taken to fill the landlord's pocket. Take the case of a £50 farm, let to myself, and say the tithe comes to £40. The right hon. Gentleman says that a portion of the tithe shall be taken from the tithe owner; but when he finds that his ancestors bought this estate, he finds also that they bought it in order to have a second charge on the land, and not the first charge. The first charge must be the tithe, and belongs to the country. A great deal has been taken away from that first charge already. It was much higher at one time, but has been reduced by landlords' Parliaments. To tell me that because a middleman who stands between the owner of the estate and the tenant of the land has not enough they ought to reduce the first charge is merely to say that they ought to reduce the interest on the mortgages on their property whenever they have not sufficient margin to keep themselves after paying the mortgage. Now, why do I oppose this proposal? It is not, as I have said, in the interest of the Church *quoad* Church, but because this property belongs to us. We look forward to the time when we shall have a majority in this House, and shall be able to lay hold of the whole of these tithes. We consider they belong to the public, and we object to any part of our property being reduced, because it goes into bad hands at the present moment. For my part, I intend to vote for the Amendment of the hon. Member for Maldon. What is that proposal? It is that the words "two-thirds" be left out. When that vote is carried, if it be carried, and someone proposes other words be put in, I am not sure that I shall vote for them. In fact, I should prefer to leave the sentence as it then would be, namely, nonsense. To the end I shall vote against the clause entirely. That is the view which I think ought to be taken by every intelligent Radical who is utterly opposed to the Bill, utterly opposed to the proposal of the Government, and utterly opposed to the proposal of the hon. Member for Maldon.

(10.57.) SIR G. CAMPBELL (Kirkcaldy, &c.): I mean to support Her Majesty's Government on this question. I think the hon. Member for St. Pancras took a very practical view of the matter. I believe that if we defeat the Government the result will be to set up the Amendment of the hon. Member for Maldon, and it is because I strongly object to that that I support the Government whose proposal is not in itself an unreasonable one. The bargain of 1836 was a very favourable one for the landlords, as under it they obtained a settlement of the question whereby the tithe has not only decreased, but decreased in the sense they desired in 1836. There are certain exceptional cases in which the tithe falls extremely heavily; and I think the President of the Board of Trade has put forward a reasonable proposition when he says it has reached a point which renders it impossible to cultivate the land. I regard the proposal of two-thirds as a reasonable one, and on that ground intend to support the Government.

*(10.59.) MR. C. W. GRAY: I congratulate myself on the course taken by this Debate, because although it has been upon one of those questions which are very likely to cause some warmth of feeling, I think everyone will agree that it has been discussed without a shadow of ill-feeling. The right hon. Gentleman in charge of the Bill, in his concluding remarks, asked me to accept the proposition of the Government rather than the means aimed at in my own Amendment, and he suggested that if I succeeded in carrying the Amendment the votes which helped me

then might be turned against me in the next Division. I am not to be frightened by a bug-bear of that sort. I choose to answer that request in the words which the right hon. Gentleman himself used the other night—words that bid fair to become famous. Parliamentarily speaking —" I mean business." I intend going to a Division upon this Amendment. At an early stage this Debate was thrown into confusion by the varying meanings attached by different speakers to the Amendment. The right hon. Gentleman the Member for Derby declared it to be an endeavour to deprive the tithe owner of one-half of his property, while the Government propose to deprive him of two-thirds. I hope that no one, be he champion of the tithe owner or of national property, like my hon. Friend the Member for Leicester, will for one moment think I am proposing to take away one-half of the tithe owner's property. I did not think it necessary to enter into any lengthy explanation of the Amendment, because I thought it was generally understood that what I meant was that the tithe owner's income out of the land should not exceed that of the landlord. The Government proposal allows it to be double—a proportion which, I think, is very excessive. Take the case of a farm the tithe on which is 5s. per acre, and the beneficial rent to the landlord 2s. 6d., any one would ask, will that be affected by the Government proposal or by my Amendment? I answer emphatically "No;" neither proposition would touch that. Although the rent of a farm may have been 30s., and has sunk down to 2s. 6d., while the tithe remains at 5s., it is not proposed to give any relief in that case. My proposal is simply this: In a case where the rent is below 2s. 6d. and the tithe is 5s. I propose that the two sums shall be put together and divided, so that the tithe owner shall not take a larger share than the landlord. I am not proposing to touch the *corpus* of the tithe, and I hope the hon. Member for Leicester will bear that in mind. We only touch the question in these extreme cases, and for the year only, as directly the annual value of the farm rises the original arrangement is reverted to. The right hon. Gentleman the President of the Board of Trade alluded to what he thought was in my mind when I put my Amendment on the Paper. But he did not accurately describe what was in my mind, because I do not desire it to be believed for one moment that I thought this was a good way of meeting the extreme cases. I am not at all fond of Clause 3; I hardly know whether it is possible to point to an hon. Member who is in favour of it. But from the very first time this vexed question was talked about I was led on to hope that there would be in the Bill some point at which I could argue in favour of relief in these extreme cases. I hold that the principle of relief should have been very much wider. If my Amendment is passed there will be thousands of cases of excessive hardship left, and these will not be nearly touched by it. But I, as it were, made a bargain with the Government that if they put in a clause of this sort I would not oppose the Second Reading of the Bill. This promise I made in the course of the Second Reading Debate. I do not like the way in which the relief is proposed to be given, but I must put up with it. The hon. Member for Leicester opposite has approached this question from a national point of view. He declares that tithes are national property. I do not dispute that a great deal of tithe rent-charge was years ago given by generous donors to the Church; but I would call attention to one fact—that there is a great deal of land in England to which this Amendment will apply—land which has been reclaimed, and which has only been subjected to tithe by legislation. I am told by good authority that in the Fen districts of Lincolnshire, Cambridgeshire, and Norfolk, there is something like 1,000,000 acres of land which have been brought into cultivation in this way, and on which tithe has been imposed by Parliament. My Amendment would apply to cases like these, and certainly it cannot be said that in such cases we are disturbing any gifts made by original donors. I regret very much indeed that I cannot accept the request made by my hon. Colleague the Member for Mid Essex, that I should withdraw my Amendment. I know perfectly well, were I to do so, that I should be falling back from the position I have taken up in the County of Essex on this question over and over again. I may be right, or I may be wrong; but I am determined, so long as I have the honour of representing an agricultural division, to try and represent honestly the interests of a large class of farmers in the Eastern Counties, who are affected by this question. If I lose the Amendment through the action of the hon. Members for Leicester and Northampton, all I can say is that I should advise those hon. Members when the General Election comes round not to devote their talents to try to persuade the voters in the Eastern Counties that they have adopted the right policy.

*(11.13). **Sir JOHN SWINBURNE**: The Committee have heard a good deal as to in whom the property of the tithe is vested. Some hon. Members say it is Church property; others claim that it is national property. But to whomsoever it belongs no reason exists why there should be an unfair or unjust application of the money. Remember that the landed proprietor does not want this Bill at all, and I am sure my hon. Friend the Member for Leicester does not desire any dishonest application of the tithe. The tithe owner will benefit because he will get his tithe collected free instead of having to pay, as he has done in the past, 5 or 6 per cent.; but the landlord will have the burden transferred to his shoulders, and he will have to pay this percentage for collection from his tenants where they are under agreement to pay the tithe. Now, my opinion is that originally one-third of the tithe was devoted to educational purposes, one-third to the support of the poor, and the remaining third to the Church; but during the last 54 years all had gone to the Church.

The CHAIRMAN: Order, order! I do not observe that the hon. Member has approached the Amendment.

***Sir J. SWINBURNE**: I am happy to be able to support the Amendment. I think it most undesirable that land in Essex or anywhere else should be thrown out of cultivation. We have seen the evils of derelict farms in Ireland. I hope that before the Division is taken the President of the Board of Trade will send for his Colleague the Minister for Agriculture, as the Committee is entitled to an expression of opinion from him.

Mr. C. W. Gray

(11.19.) The Committee divided:—Ayes 178; Noes 124.—(Div. List, No. 23.)

*(11.32.) **Mr. S. T. EVANS**: I beg to move to leave out from "and" in line 9, to "mentioned," in line 11, and insert "an Assessment Committee appointed by the County Council of the county in which the lands are situate." The Commissioners of Inland Revenue, who are the tribunal to whom the Government have entrusted assessment for the purpose of this first sub-section, belong to one class. I find, from a book which is an authority on the Income Tax Acts, that the Commissioners are taken from the Land Tax Commissioners, and that such Commissioners are persons who act as Justices of the Peace. So far as the Principality of Wales is concerned the County Justices are not a satisfactory tribunal for assessing the value of land where the landlord class, to which they belong, have a direct interest. The object of the Government is to make an abatement in favour of the landlords, and we think an authority like the County Council would be better able to decide the points in dispute, and the County Councils in the Principality will probably in a short time be the owners of the tithes. Notwithstanding the importance of the Amendment, I will not further detain the Committee at this late hour.

Amendment proposed, in page 3, line 9, to leave out from the word "ascertained," to the word "the," in line 11, and insert the words—

> "By an Assessment Committee appointed by the County Council of the county in which the lands are situate."—(*Mr. S. T. Evans.*)

Question proposed, "That the words 'and entered in the assessment for the purpose of Schedule' stand part of the Clause."

*(11.34.) **Sir M. HICKS BEACH**: It is well we should bear in mind that the County Council, or the County Rate Committee as it at present exists, never has been in the habit of dealing with such matters as are contemplated in the sub-section. It is very probable, too, that the Members of such a Committee as the hon. Member suggests would not have sufficient local knowledge of the value of the particular land which is required to enable them to make a fair assessment. There is another fact

which should not be forgotten, and that is that the Commissioners of Income Tax are largely guided in their decisions by the Surveyor of Taxes, who certainly is entirely independent of any influence of the County Justices. I trust that, under the circumstances, the hon. Member will not press his Amendment.

(11.35.) MR. BOWEN ROWLANDS: I cannot give a silent vote in favour of the Amendment. I feel that any tribunal that is to determine anything in connection with this exceptional legislation should command the confidence of the country. I thoroughly endorse the observations made by my hon. Friend (Mr. S. T. Evans), that however estimable the County Justices may be, personally they will not command the confidence of people in making any assessment in matters in which they are themselves directly interested. Whether rightly or wrongly, the spirit of the times has been rather to take away from the jurisdiction of the County Justices, therefore I extremely regret that the Government should think it right to place in the hands of the Justices so important a duty as determining the valuation of the land. The difficulties which the President of the Board of Trade sees are only difficulties in detail. I venture to think the collective wisdom of the House would be equal to the task of so arranging the details necessary to carry out the hon. Member's Amendment.

(11.37.) MR. ARTHUR WILLIAMS: I hope the Government will seriously consider the suggestion of my hon. Friend. You are about to place the landowner and the tithe owner in a very awkward position, for in every county you are going to give a Committee of Landowners the absolute discretion to consider and decide, without appeal, whether they will or will not whittle away the tithe. I assure the right hon. Gentleman that the relations between the clergy and the squire will become extremely awkward unless you set up some better tribunal for the consideration of this very delicate and important question of the assessment of the land.

*(11.38.) MR. J. BRYN ROBERTS: I demur to the suggestion that the Assessment Committee proposed by my right hon. Friend have not the local knowledge which is possessed by the Justices of the Peace. I believe an Assessment Committee appointed by the County Council would have a great deal more knowledge than the County Justices. I agree with the right hon. Gentleman that the County Justices are largely led by the surveyors. They are so led because they have not the local knowledge which the surveyors have. On the other hand, the County Councillors come from all parts of the county, and are elected by men who know the value of the land of the county.

*(11.39.) MR. S. T. EVANS: On the question of local knowledge allow me to point out that in their Bill of last year the Government suggested that the County Court Judge, who has no local knowledge of any kind should fix the value of the land.

*SIR M. HICKS BEACH: The tribunal fixed by the Bill of last year was the Assessment Committee of the Union.

*MR. S. T. EVANS: Then it was the Bill of the previous year. There have been so many Bills that I really forget in which the County Court Judge was constituted the tribunal. I maintain there will be found no difficulty in the appointment of an Assessment Committee as suggested in the Amendment. The County Councils now assess the counties for the purpose of the County Rate. If they are competent to frame assessments for rating purposes, surely they are competent to appoint a small Committee of their number with local knowledge, in whom the people who have elected them will have confidence, and who will form a very much better tribunal than the Government are setting up.

(11.43.) MR. LABOUCHERE: What is the practical effect of the proposal of the right hon. Gentleman? He proposes that these Assessment Commissioners should consist of gentlemen holding good positions in the county, men who are appointed by the Lord Lieutenant, or by the Executive. Hon. Gentlemen opposite are only consistent in one thing, and that is their hatred of every species of representative Government. My hon. Friend proposes that the County Council should appoint this Assessment Committee. The County Council stands between the squire and parson. It is independent. It is elected by the people of the county. Of course a Committee appointed by the Council commands the respect of the county. But would a Committee consisting of Magistrates command respect? I know there are many like me, and I have not the slightest respect for any Magistrate in the country. [*Cries of* "Oh, oh!"] I mean the Great Unpaid of the country. I have no respect for them. I have no respect for their decisions, and I think it a monstrous thing that they should sit on the Bench as Magistrates. That view is shared by the majority of the inhabitants of the country, and yet the Government actually come forward and propose that this Committee should consist of these Magistrates *plus* a number of persons appointed by themselves. This is the Government who passed a County Government Bill. They talked about giving Local Government to the country, and they go swaggering about and saying how honoured the country ought to be by having such a great Ministry. [*Laughter.*] Oh, they have said so, and you have said so. People can say anything—the question is, who believes them? Self praise is no recommendation. We see what this best and noblest of Governments do in regard to representative government. They absolutely refuse to make use of the very County Councils they brought into being. They prefer to use the County Magistrates and nominees of themselves in a matter which essentially concerns the county. There is only one reason why I hesitate for a moment to vote with my hon. Friend and that is that I shall have to vote against the Government. The tribunal under the Bill is to consist of country gentlemen, and I am satisfied that their decisions will sow discord between the squire and the parson in every parish. I should like to sow discord between the squire and the parson. [" Oh, oh!"] Yes, and then I think the poor labourers and others would get their rights. The reason why I am not influenced by these considerations to vote in favour of the Government and against my hon. Friend, is that I want, as far as I can, to preserve intact the rights of the people in these particular tithes. I believe there would be the grossest jobbery on the part of these country gentlemen. Everyone looks after his own interests in the world, and I do hope my hon. Friend will go to a Division in order that we may discover who are for and who are against representative Government.

Mr. Labouchere

(11.52.) The Committee divided:—Ayes 162; Noes 94.—(Div. List, No. 24.)

It being after midnight, the Chairman left the Chair to make a Report to the House.

Committee report Progress; to sit again to-morrow.

ROADS AND STREETS IN POLICE BURGHS (SCOTLAND) BILL. (No. 12.)

Considered in Committee.

(In the Committee.)

Clause 1.

Committee report Progress; to sit again upon Wednesday, 3rd June.

MOTIONS.

WOMEN'S DISABILITIES REMOVAL BILL.

On Motion of Mr. Haldane, Bill to remove the Disabilities of Women, ordered to be brought in by Mr. Haldane, Sir Edward Grey, and Mr. Howarth.

Bill presented, and read first time. [Bill 175.]

FARM SERVANTS' WAGES (SCOTLAND) BILL.

On Motion of Mr. Haldane, Bill to amend the law relating to the payment of the Wages of Farm Servants in Scotland, ordered to be brought in by Mr. Haldane, Mr. Marjoribanks, and Mr. Munro Ferguson.

Bill presented, and read first time. [Bill 176.]

BRITISH AND FOREIGN SPIRITS.

Ordered, That a Select Committee be appointed to consider whether, on grounds of public health, it is desirable that certain classes of Spirits, British and Foreign, should be kept in bond for a definite period before they are allowed to pass into consumption, and to inquire into the system of blending British and Foreign Spirits in or out of bond, and into the propriety of applying the Sale of Food and Drugs Acts and the Merchandise Marks Act to the case of British and Foreign Spirits, and also into the Sale of Ether as an Intoxicant.

The Committee was accordingly nominated of,—Sir Lyon Playfair, Mr. Somervell, Sir Henry Roscoe, Mr. T. M. Healy, Mr. Boord, Sir Edward Harland, Mr. Flynn, Colonel Hill, Mr. Hozier, Mr. M'Ewan, and Mr. Jackson.

Ordered, That the Committee have power to send for persons, papers, and records.

Ordered, That Five be the quorum.—(*Sir Lyon Playfair.*)

LIGHT RAILWAYS (IRELAND) ACT, 1889.

Return ordered—

"Of Copies of Orders in Council, and Agreements made under 'The Light Railways (Ireland) Act, 1889.'"—(*Mr. Jackson.*)

ARCHDEACONRY OF CORNWALL BILL [LORDS].

Bill read the first time; to be read a second time upon Monday next, and to be printed. [No. 177.]

BUSINESS OF THE HOUSE.

On the Motion for Adjournment,

DR. TANNER (Cork Co., Mid): When the Irish Bills were postponed just now I endeavoured to elicit the information whether it was really intended to proceed with them on the day for which they were set down, Monday. I put the question, I hope, in a courteous way, and it is for the convenience of Irish Members that they should know.

*(12.11.) THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.): I hope the hon. Member will not think I was guilty of any discourtesy to him or to the House, but it is impossible for me to say if the Bills will be taken on Monday or not.

DR. TANNER: It would be of great convenience, and save some expense to Irish Members, if they had due notice of when Irish business will be taken.

(12.12.) MR. STUART RENDEL (Montgomeryshire): I am sorry to find that both the Ministers who have the Tithes Bill in charge are absent, but perhaps the Secretary to the Treasury can answer my question. The Committee stage of the Tithes Bill was set down just now for resumption to-day [Friday], but I hope that was merely formal? The Bill interests Welsh Members in a high degree, and they have paid close attentions to the discussions. I trust they will not be kept in uncertainty as to whether the Bill will be proceeded with, and that the Government will take the usual course, postponing the Bill to the next Government night.

*(12.12.) MR. JACKSON: Friday is a Government night, and the Bill has been set down in the hope that it may be reached.

(12.12.) MR. LABOUCHERE (Northampton): It will be for the interest of the Government and the convenience of the House to frankly say the Bill will not be taken to-day. It is true that Friday is nominally a Government night, though it is not so in reality, and the right hon. Gentleman knows perfectly well it is not recognised as a Government night. Notice is down of a very interesting subject for discussion on the Motion for going into Committee of Supply, and the only effect of this vagueness as to whether the Bill will be brought on will be that a good many gentlemen will be induced to enlarge the horizon of the observations they may wish to make on that subject.

(12.13.) MR. T. M. HEALY (Longford, N.): If the Government really intend to make progress with business, the true course would be for them to set down effective Supply for to-night. I have not the slightest doubt that the right hon. Gentleman the Member for Bradford (Mr. Shaw-Lefevre) will be in his place to move the Motion of which he has given notice, but even if he should be unable to do so, it is well-known that any Member of the House can speak to the subject matter of that Motion, or on the general question of grievances, on the Order for the Speaker to leave the Chair. It is rather hard upon our Welsh friends, several of whom desire to get away until Monday to visit their constituents, to find that the Government have a design to seize Friday to make progress with the Bill in which those Members are greatly interested, when we know perfectly well the true course for the Government to pursue, if they anticipate that the preliminary Motion will not occupy the whole Sitting, is to put down effective Supply. Very often we hear towards the end of the Session that the Government are pressed for time for Supply, and here is a possible opportunity for taking Supply in the month of January, and yet the Secretary to the Treasury is not ready with it, but intimates an intention of taking the unusual course of going on with this Bill. I have never known a Government attempting this on a Friday night unless they have had the whole time of the House at their disposal. I do not imagine for a moment that the Government will have the slightest chance of making progress with their Bill if they put it down, but it is unfair to the Welsh Members that they should be kept in uncertainty, when, in the usual course, they would be enabled to relax their attention and have a day off.

*(12.16.) Mr. S. T. EVANS: Another reason why the Bill should not be taken arises out of what took place in Committee this evening. The Government accepted a proposal that a Schedule should be added, and this they did after considerable argument against the proposal. When the Government yielded, it was agreed that time would be required to frame the Schedule, and clauses would have to be reconsidered. I am not strictly in order, I am afraid, in referring to this, but I only want to show that the Committee stage cannot profitably be taken to-night, and even if it is put down, the Committee stage cannot be finished, but must still be carried over to Monday. Would it not be better then at once to set down the Bill for Monday, when I apprehend there will be no difficulty, so far as I am aware, in disposing of the Committee Stage?

*(12.18.) Mr. JACKSON: Only by the consent of the House can I speak again. In reply to the observations of the hon. and learned Member for Longford I have to say that the course he has indicated would be the right one if we had effective Supply ready. But bear in mind the House has only been sitting a week.

Mr. T. M. HEALY: Oh, no; since November.

*Mr. JACKSON: But the hon. and learned Member knows perfectly well it is impossible to prepare the Estimates in November. An endeavour has been made to get the Estimates ready at least a fortnight earlier than the usual time, and I had hoped until this morning that it would have been possible to have circulated at any rate one of the classes for to-day. Clearly it is the duty of the Government to provide Government business on a Government night, and having no effective Supply we put down a Government Bill. I cannot carry the matter further. Perhaps the hon. and learned Gentleman will put a question to the leader of the House to-morrow at question time—or as I observe my right hon. Friend the President of the Board of Trade has now entered the House he can give an answer.

(12.20.) Mr. DILLWYN (Swansea): I venture to appeal to the right hon. Gentleman that he will listen to the appeal of the Welsh Members and for convenience, and to allow time for the preparation of the Schedule will let the Bill stand over to Monday.

*(12.22.) The PRESIDENT of the BOARD of TRADE (Sir M. Hicks Beach, Bristol, W.): The only reason for putting the Bill down for Friday was that I was informed that possibly the Motion, of which notice has been given, would not be brought on, and so an opportunity offered for continuing the discussion on the Tithes Bill, but to meet the convenience of Members I shall be quite willing to postpone the further proceedings in Committee on the Tithes Bill until Monday, on the understanding that they will be completed on that day. I understand that an undertaking of that kind has been given.

*(12.23.) Sir J. SWINBURNE (Staffordshire, Lichfield): We cannot come to any arrangement of that kind.

*(12.23.) Mr. S. T. EVANS: With your leave, Sir, I may be allowed to say that so far as Welsh Members are concerned there is no desire to protract the Committee stage of the Bill beyond Monday. I said I saw no difficulty in finishing on that day, and I have since consulted with some of my hon. Friends and can confirm what I said, though of course I am unable to speak for the English Members.

*(12.24.) Sir M. HICKS BEACH: Very well, Sir, that is quite enough for me. I am quite sure the hon. Member for Lichfield will not go against the general feeling.

Mr. LABOUCHERE: But, Sir, may I be allowed to say——

Mr. SPEAKER: Order, order! The hon. Gentleman has already spoken.

House adjourned at twenty-five minutes after Twelve o'clock.

HOUSE OF LORDS,

Friday, 30th January, 1891.

TRAMWAYS ORDER IN COUNCIL (IRELAND) (ATHENRY AND TUAM RAILWAY) BILL.—(No. 19.)

SECOND READING.

Order of the Day for the Second Reading, read.

THE EARL OF LIMERICK: My Lords, the object of this Bill is to confirm an Order of the Lord Lieutenant of Ireland in Council relating to the Athenry and Tuam and Clare Morris Railway. It provides for the extension of a line to Clare Morris. It has passed without opposition through the other House of Parliament, and has come up to your Lordships, and I trust your Lordships will give it a Second Reading.

Bill read 2ª (according to order), and committed to a Committee of the Whole House on Monday next.

House adjourned at twenty-five minutes before Five o'clock, to Monday next, a quarter before Eleven o'clock.

HOUSE OF COMMONS,

Friday, 30th January, 1891.

STANDING ORDERS.

(3.10.) SIR R. FOWLER (London), in the absence of Sir J. MOWBRAY (Oxford University), moved—

> "That the Select Committee on Standing Orders do consist of Thirteen Members:—Mr. Barclay, Sir Edward Birkbeck, Mr. Sydney Buxton, Mr. Cubitt, Mr. Arthur Elliot, Sir Thomas Esmonde, Mr. Halsey, Mr. William Lowther, Sir John Mowbray, Colonel Nolan, Sir Lyon Playfair, Mr. Stansfeld, and Mr. Whitbread."

On the name of Sir Thomas Esmonde being put from the Chair,

(3.12.) COLONEL NOLAN (Galway, N.): I have no objection to the appointment on this Committee of the hon. Baronet the Member for South Dublin (Sir T. Esmonde). I am sure that he will be a very valuable member, but I wish to call attention to the circumstances under which the hon. Baronet has been nominated. There were two Committees down for nomination yesterday—the Committee of Selection and the Standing Orders Committee, and they are usually bracketed together. They are always presided over by the same Chairman, the right hon. Gentleman the Member for the University of Oxford (Sir J. Mowbray), and they generally run together in double harness. The two Committees, although divided, are practically one. Yesterday there were three Irish Members on the two Committees—the hon. Member for Londonderry (Mr. J. M'Carthy) on the Committee of Selection, and the hon. Member for North Kildare (Mr. Carew), together with myself, on the Standing Orders Committee. I think I may safely say that, although both Committees are considered to be important Committees, the Committee of Selection is the more important of the two, having very great and important duties to discharge. It is an unfortunate fact—already well-known through the ordinary channels of information—that there is at present a temporary schism among the Irish Members, and as one result it has been arranged to strike off from the Committee of Selection the name of the hon. Member for North Kildare, and to substitute that of the hon. Baronet the Member for South Dublin. The effect is that one of the two Irish Parties, not satisfied with having one-half of the representation of the Irish Members upon the two Committees, will obtain two-thirds of it. That is a proceeding which I strongly deprecate, and it manifests a certain amount of greediness. The matter is one, however, which must be settled by the English Members, because the number of Irish Members in attendance at this moment is very small. I have no doubt that the hon. Baronet will make a very efficient member of the Committee; but as the hon. Member for North Kildare is not in his place, not having recovered from his recent severe attack of illness, it would only be a graceful act for the hon. Baronet to offer to retire when my hon. Friend is in a condition to appear here again.

(3.15.) MR. J. O'CONNOR (Tipperary, S.): I desire to say a few words on this matter. I entirely agree with my hon. and gallant Friend that the hon. Baronet the Member for South Dublin would make a very efficient member of the Committee; but I regret that the addition of the name of the hon. Baronet should be effected at the cost of expunging that of the hon. Member for North Kildare, because I think that it is likely to lead to a misunderstanding, or, at all events, to a misconstruction of the motives which have led to it. My hon. and gallant Friend has alluded to the schism which prevails in our ranks. It is one which I hope will cease to exist after a short time; but I desire to point out that up to this moment we have kept out of this House any mention of that schism, or any act that would emphasise the misunderstanding which at present unfortunately exists. That, unfortunately, can no longer be said, if there is to be taken off the roll of the Committee the name of a Member who has been most attentive to his duties, who is one of the Whips of the Irish Party, and who is most popular among Members generally. Except that he has taken a particular side in this unfortunate controversy there is no reason whatever why the name of the hon. Member for North Kildare should be expunged. I do not wish to go to a Division on the matter; but I feel it my duty to support the protest which has been made against the unnecessary and invidious conduct of certain hon. Members of the House.

Question, "That the name of Sir Thomas Esmonde be there added," put, and agreed to.

On the name of Colonel Nolan being put from the Chair,

MR. T. M. HEALY (Longford, N.): Perhaps I may be allowed to suggest that it would be a graceful act on the part of the hon. and gallant Gentleman to retire in favour of the hon. Member for North Kildare. We all know the great services of the hon. Member for North Kildare, and the hon. and gallant Gentleman may now sacrifice himself on the altar of his country. The hon. and gallant Gentleman may confess his own unworthiness for this great position, and open the way for the nomination of the hon. Member for North Kildare, so that the House and the Committee may have the advantage of his invaluable services.

The other names were then agreed to.

QUESTIONS.

INDIA—THREATENED FAMINE IN MADRAS.

MR. HUNTER (Aberdeen, N.): I beg to ask the Under Secretary of State for India whether he has any information that the districts of Chingleput, Nellore, Cuddapah, North Arcot, South Arcot, Tinnevelly, and Malabar, in Madras, with a population of about 12,000,000, are threatened with famine; and, if so, in view of the fact that, with the exception of Malabar, all these districts were famine-stricken in 1876 and 1877, some most severely, whether he will state what steps have been taken in the meantime to protect them from famine, and what results, if any, have followed from the taking of such steps; whether the primary cause of the threatening distress is the failure of the November rains; whether irrigated as well as unirrigated lands are threatened with crop failures; whether the Madras Government have taken any, and if so what, steps to carry out the declared intentions of the Government of India—

> "That human life shall be saved at any cost and at any effort; no man, woman, or child shall die of starvation;"

and whether he will lay upon the Table all the particulars received by the Secretary of State respecting the impending distress, and also details as to the crop out-turns in the districts named in the years 1888, 1889, 1890?

*THE UNDER SECRETARY OF STATE FOR INDIA (Sir J. GORST, Chatham): The latest Reports that have reached the Secretary of State are dated Madras, 6th January. A failure of the late crops was then feared in parts of the seven districts named. No fear of famine was expressed, and the prices of grains consumed by the poor were said to be well below scarcity level. Plans for opening relief works, and for dispensing other relief, are ready, if necessity arises. In reply to the second paragraph of the question, I may say that the partial failure of the harvests has been due to the scantiness of the later rains or north-east monsoon. Irrigated crops have also suffered in parts, though not so seriously as the dry crops. In reply to the fourth and fifth paragraphs of the question, my answer is that the Secretary of State has asked for fortnightly telegrams from Madras, stating the condition of affairs and the steps taken to relieve distress if it arises. These telegrams will be published. The Government have also been asked to furnish a statement of the general out-turn of crops in the threatened districts for the years named.

H.M.S *POLYPHEMUS.*

MR. J. BRYN ROBERTS (Carnarvonshire, Eifion): I beg to ask the First Lord of the Admiralty whether he will lay upon the Table of the House the Report of the experiments lately conducted at Portsmouth in the ex-boiler of the *Polyphemus*, with forced and induced draughts; whether the system of forced draught has failed and proved injurious to boiler tubes, and whether ships have been in consequence taken over from contractors with natural draught only, and not fulfilling their contract power and speed; and, if so, what steps are proposed to be taken to secure the power and speed contracted for; and whether it is intended in the future to adopt the use of forced draught for ships in Her Majesty's Navy?

*THE FIRST LORD OF THE ADMIRALTY (Lord G. HAMILTON, Middlesex, Ealing): It is not considered desirable to publish at present the results of the experiments. Details have been furnished to the firm immediately concerned. Forced draught under proper precautions is not injurious to boiler tubes, but difficulties in connection with its extreme application have arisen with one or two special types of boilers, which types will not be repeated. The Admiralty has decided not to make forced draught trials in certain cases, and to accept the machinery after satisfactory natural draught trials. In such cases the contractors have constructed the machinery in accordance with the specifications.

TIED HOUSES.

MR. JOHN KELLY (Camberwell, N.): I beg to ask the Secretary of State for the Home Department whether he is aware of the observations which Mr. Justice Grantham is reported in the *Times* newspaper of the 28th instant to have made at the hearing of the action of "Keen *v.* Usher and Others (Limited)" on Tuesday last, with reference to the evidence of the manager of the defendants as to the existence of a practice, which he declared to be universal, and by which Brewery Companies employ persons to manage their licensed houses, who are in fact the mere servants of such companies, dismissable at a week's notice, but are made to sign agreements with the Brewery Companies for yearly tenancies in order that such agreements may be produced before the Licensing Justices; whether he is aware that a practice of the kind, though not universal, is very common; whether he would propose to take any, and, if so, what, steps to put an end to it; and whether he can give the House an assurance that, at any rate, the notice of Licensing Justices generally will be at once called to the character of the frauds so practised upon them?

*THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): Yes, Sir. I have seen the newspaper report of the observations referred to. I am not aware of the frequency of the practice described. I am advised that there is nothing in the Licensing Acts to require the licensee to hold the premises for a term of any particular length; and, moreover, inasmuch as under certain circumstances, the licence may become forfeited, and the premises disqualified, it is not unreasonable or contrary to the public interests that the owner should reserve to himself an active control over the management of the house and the power of getting rid of an objectionable licensee at very short notice. With the view of ascertaining whether this control is secured in such a manner as to constitute in any sense a fraud on the Justices, I have asked the learned Judge to be so good as to favour me with his observations as to the facts before him, as to which I have insufficient information.

MINING ACCIDENTS.

MR. DAVID THOMAS (Merthyr Tydvil): I beg to ask the Secretary of State for the Home Department if he will instruct his Inspectors of Mines to state in their Reports covering the year 1890, in the case of every person who met his death by accident, the hour of employment in which the accident occurred; and if he will give, approximately, the number of hours occupied underground by each individual Inspector during the past year, wherever a record has been kept?

*MR. MATTHEWS: Instructions have been given in accordance with the first paragraph of the question. In future Returns the particulars will be given. The Annual Returns of the Inspectors state generally the number and character of the visits made, but no record has been kept of the number of hours occupied underground.

INSPECTION OF COAL MINES—EMPLOYMENT OF WORKMEN AS INSPECTORS.

MR. DAVID THOMAS: I beg to ask the Secretary of State for the Home Department whether, in pursuance of the promise made in August last, he has further considered the suggestion that practical workmen should be appointed as Sub-assistant Inspectors of coal mines; and, if so, with what result?

*MR. MATTHEWS: I have been considering this question, and I have obtained the assent of the Treasury to an increase in the Vote for mine inspection; but I cannot pledge myself to say that the suggestion will prove either practical or useful.

BANK NOTES.

SIR WILLIAM HOULDSWORTH (Manchester, N.W.), who had on the Paper a notice of his intention to ask the Chancellor of the Exchequer whether or not he has power, without fresh legislation, to permit the issue of notes representing four or eight half-crowns, instead of issuing the silver coins themselves, postponed the question until Monday.

THE NAVAL PRISON AT LEWES.

MR. T. H. BOLTON (St. Pancras, N.): I beg to ask the First Lord of the Admiralty whether he will lay upon the Table of the House a Copy of the Correspondence between the Visiting Justices of the Naval Prison at Lewes and the Lords of the Admiralty, with reference to the rules of discipline in force at that establishment, and to the question whether the prison as a building fulfils all the requirements necessary, and whether the Admiralty have had any Report furnished to them as to the adaptability of the building, and of the sanitary state of the same; and, if so, whether he will lay a Copy of such Report upon the Table of the House?

*LORD G. HAMILTON: The correspondence is not yet complete. The building is an old one, constructed on an obsolete model. Its sanitary condition has for a long series of years been favourably reported on, and the health statistics show it to be excellent. The attention of the Admiralty has been drawn to the small size of the cells, which is below the dimensions of modern cells, and steps have been taken to provide a remedy, and plans for this purpose are now under consideration.

CASE OF THOMAS LOCKET.

MR. NEWNES (Cambridge, E.): I beg to ask the Secretary of State for the Home Department whether his attention has been called to the case of Thomas Locket, who was sentenced at Worship Street Police Court, on the 21st instant, to two months' hard labour for moving a postman's bag a distance of five yards, and whether he intends to take any action in the matter?

MR. MATTHEWS: The learned Magistrate who heard the case informs me that this man was convicted not of moving the bag, but of stealing it. I am of opinion that the evidence justified the Magistrate in passing the sentence he did.

MR. NEWNES: Is the right hon. Gentleman aware that the prosecutor admitted that the defendent had no intention of stealing the bag?

MR. MATTHEWS: I have no information to that effect. The man was convicted of stealing the bag.

MR. NEWNES: He admitted that it was a mere freak.

REVOLUTION IN CHILI.

MR. DUNCAN (Barrow-in-Furness): I beg to ask the Under Secretary of State for Foreign Affairs whether Her Majesty's Government is in telegraphic communication with the British Minister at Santiago, and the Commander of the

British Squadron on the coast of Chili; whether he will state what the latest information is which has been received by the Government with regard to the course of the Revolution in Chili; and whether there is any truth in the report recently published that the British and other Foreign Ministers at Santiago have threatened to withdraw from the country; and, if that report be true, and the threat be carried into execution, what protection would be available to British subjects in Chili in the absence of the British Minister?

THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir J. FERGUSSON, Manchester, N.E.): The latest telegram from the Admiral in command of the Squadron was received from Callao *viâ* Lima on the 23rd inst. He was about to start for Coquimbo. He reported that telegraphic communication from thence with Chili was interrupted, but he would, of course, have means of sending back messages to Callao, where he has left a vessel to bring messages from home if necessary. H.M.S. *Champion* had brought news that Valparaiso and Iquique were blockaded, and that there had been firing between the ships and the shore on the 18th. The latest telegrams from Her Majesty's Minister at Santiago were received on the 18th and 19th. At that time he did not apprehend bombardments nor serious injury to general commerce. No report whatever has been received of any threat on his part or that of the other foreign Representatives to withdraw. Inquiries will be made of Her Majesty's Minister. We have no reason to believe that either the Government or the insurrectionists have any hostility to Englishmen or other foreigners.

POST OFFICE SAVINGS BANKS.

MR. LABOUCHERE (Northampton): I beg to ask the Postmaster General whether it is intended to take such steps in respect to the clerks attached to the Savings Bank Department of the General Post Office as will prevent systematic overtime in that Department; and whether the Order in Council of 21st March 1890, which states that "The salaries of clerks in the Second Division for a daily attendance of seven hours shall be, &c.," has been modified by any subsequent Order in Council, and whether it can be altered by any Departmental Order?

*THE POSTMASTER GENERAL (Mr. RAIKES, Cambridge University): In reply to the first part of the hon. Member's question, I have to state that I have already limited the amount of extra duty in the Savings Bank Department to three hours daily, although I have received within the last week numerous applications from clerks to be allowed to perform more than that amount of extra duty. I am most anxious to prevent systematic overtime in any branch of my Department; but there are practical difficulties in adjusting the numbers of a force to duties which become specially onerous only at particular seasons of the year. These demands have, until the present year, been readily met by the cordial co-operation of the ordinary staff, who have only very recently expressed their willingness to perform extra duty to a greater extent than I have required from them. With reference to the latter part of the hon. Member's question, I am not aware of any alteration having been made in the Order in Council to which he refers. I understand the words quoted by the hon. Member to indicate a normal or minimum attendance of seven hours per day, all time beyond that being paid for extra.

CLEANERS OF THE HOUSES OF PARLIAMENT.

MR. LABOUCHERE: I beg to ask the First Commissioner of Works whether he will lay upon the Table of the House the invitation for contracts in respect to the cleaners of the Houses of Parliament; whether he will see that the hours of work of the cleaners are not more and the weekly wage is not less than those of the furniture dusters and the carpet layers, and that generally their hours of work and their wage for the year are the same as for the former; and whether he is aware that a foreman and a book keeper in regard to these men are paid for by the Office of Works, and that their sole connection with the contractor is being engaged and paid for by him; and, if so, whether he can state why they should not be engaged and paid by the Office of Works, and the profit of the contractor (whatever it may be) be thus saved?

THE FIRST COMMISSIONER OF WORKS (Mr. PLUNKET, Dublin University): If the hon. Member will move for a copy of the conditions of the new contract for ordinary works and repairs, to take effect next April, he shall have it. Under that contract the hours of the men employed about the Houses of Parliament as cleaners will, in fact, be less than those worked by the men directly employed by the Office of Works. I cannot undertake exactly to equalise the wages earned by men whose duties are different, and who belong to different trades; but, as I have already said, those wages will not be subject to any deduction for the benefit of the contractor. It is true that here, as well as in other public buildings, we employ foremen and timekeepers to look after the proper fulfilment of the contract. But there is no more reason why the cleaners at the Houses of Parliament should be engaged directly by the Office of Works than why workmen and labourers employed in other buildings should be so engaged, and, after very careful consideration, the Government have decided not to adopt a general system of employing our own men.

MR. LABOUCHERE: Will the right hon. Gentleman explain the difference between a furniture duster and a person who dusts what is not furniture?

MR. PLUNKET: That is an abstruse and difficult question, of which I think I ought to have notice.

MAGAZINE RIFLES.

MAJOR RASCH (Essex, S.E.): I beg to ask the Secretary of State for War whether, of the total number of magazine rifles issued, 40 per cent. have been returned to the Government Factory, Birmingham, for repairs, and whether, of the total number thus sent in, one-third are useless for shooting purposes, and are branded "D.P.," or for drill purposes only; and if their manufacture is being carried on at the rate of 2,000 per week?

THE FINANCIAL SECRETARY FOR WAR (Mr. BRODRICK, Surrey, Guildford): My hon. Friend has not given time to ascertain the precise number of rifles sent in. The rifles in question have been used by recruits as well as by trained soldiers, and have therefore, of necessity, been subjected to some rough treatment, but they are not useless for shooting purposes. We require a certain proportion of arms for drill purposes, and have naturally marked these arms "D.P." in preference to any new arms for drill purposes. The manufacture of rifles at present exceeds 2,000 a week.

THE TITHE RENT-CHARGE COMMISSION.

MR. HERBERT GARDNER (Essex, Saffron Walden): I beg to ask the President of the Board of Trade whether he can now state the terms of the Reference to the proposed Commission on Redemption of Tithe Rent-Charge and the names of the Commissioners?

*THE PRESIDENT OF THE BOARD OF TRADE (Sir M. HICKS BEACH, Bristol, W.): The terms of the Reference are as follows: To inquire to what extent, on what terms, and at what cost tithe rent-charge in England and Wales has been redeemed under the Tithe Commutation Act, 1836, and the Acts amending the same; and to report whether, having regard to existing circumstances, any and what Amendments of the law or the practice are required to encourage and facilitate the redemption of tithe rent-charge. The Commissioners will be—Lord Basing, Right Hon. George Cubitt, M.P.; Right Hon. Henry H. Fowler, M.P.; Sir Henry Hussey Vivian, Bart., M.P.; Mr. William James Beadel, M.P.; Mr. Frederick Meadows White, Q.C.; Mr. C. N. Dalton. Mr. Graham, who has had considerable experience in the office of the Land Commissioners, will act as Secretary.

RAILWAY RETURN TICKETS.

MR. MORTON (Peterborough): I beg to ask the President of the Board of Trade whether he is aware that a gentleman was in 1889 sentenced at the Strangeways Police Court to 14 days' imprisonment, with hard labour, for using the return half of a railway ticket on the Manchester, Sheffield and Lincolnshire Railway, three days after issue; and as the Railway Companies are not obliged by statute to issue return tickets, will he explain on what grounds has the Board of Trade sanctioned bye-laws whereby a breach of a civil contract is made a criminal offence?

*SIR M. HICKS BEACH: My attention has not been called to the case to which the hon. Member refers, and I therefore do not know whether the proceedings were taken under bye-laws sanctioned by the Board of Trade. From the question, it would seem possible that there may have been an attempt to defraud. I may refer the hon. Member to Section 5 of the Regulation of Railways Act, 1889, which provides a penalty for avoiding payment of fare.

METROPOLITAN WATER SUPPLY.

MR. LAWSON (St. Pancras, W.): I beg to ask the First Lord of the Treasury what course he proposes to take in respect to the Public and Private Bills affecting the water supply of the Metropolis now before this House?

*THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): I think it will be expedient, when they have been read a second time, to refer them to a strong Hybrid Committee, or to a Joint Committee of both Houses; but I am not able, without further consultation, to give a more definite reply.

IRISH MAILS.

CAPTAIN M'CALMONT (Antrim, E.): I beg to ask the Secretary to the Treasury whether he can now make any statement with regard to the numerous memorials received from, and resolutions passed at, public meetings in the North-East of Ireland, and lately presented to the Treasury, in favour of the establishment of an accelerated Mail Service between England, Scotland, and the North of Ireland *viâ* Larne and Stranraer?

A LORD OF THE TREASURY (Sir H. MAXWELL, Wigton): I must ask the hon. Member to postpone the question for the present.

DISTRESS IN IRELAND.

DR. TANNER (Cork Co., Mid): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether it is a fact that the number of persons in receipt of outdoor relief three weeks since in the Clonakilty Union was about 250, and for the week ending 17th January there was an increase of 458, making now a total of 871; whether he is aware that it has been shown by the Very Rev. John O'Leary, P.P., V.F., by relieving officers and Guardians, that great destitution and distress were prevalent in the division; and whether any relief works will be promoted without delay, as called for by the Guardians of the Clonakilty Union?

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): The figures given by the hon. Member are correct, and statements to the effect that destitution and distress are prevalent in the Union have, I believe, been made by Father O'Leary. It has been decided to carry out relief works.

DR. TANNER: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether his attention has been directed to the statement of a well-known medical gentleman, Dr. Sandiford Glowntane, Mallow, made before the Mallow Board of Guardians—

> "That unless the labourers and small farmers in his district get employment, in many cases they will be reduced to actual starvation;"

and whether it is true Colonel Spaight, I.L.G.B., stated works were recommended for the district; and, if so, what are the works proposed, and when will they be proceeded with?

MR. A. J. BALFOUR: I am informed that Dr. Sandiford did make the statement attributed to him; but Colonel Spaight, the Local Government Board Inspector, denies having made the statement attributed to him.

MR. ARTHUR O'CONNOR: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he has caused inquiry to be made into the condition of the smaller occupiers of land in the upper basins of the Swilly, the Finn, and the Deele, in Central Donegal; if so, what is the nature of the information furnished; and what steps the Government intend to take in the matter?

MR. A. J. BALFOUR: It is proposed to take steps without delay.

DR. TANNER: I beg to ask the Secretary to the Treasury whether his attention has been directed to the distress now prevailing at Ringaskiddy, County Cork, and if any practical consideration will be given to the proposed causeway from Ringaskiddy to the pier, as recently proposed before the vice-Guardians of the Cork Union?

*The SECRETARY to the TREASURY (Mr. Jackson, Leeds, N.): My right hon. Friend the Chief Secretary yesterday answered this question so far as it relates to distress. I have not had time to receive any Report from the Board of Works as to the merits of the proposed causeway; but I may say at once that I am not aware of any funds from which assistance could be given to the work.

Dr. TANNER: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether any, and, if so what, steps are being taken to relieve the great existing distress on the Islands of Clare and Achill?

Mr. A. J. BALFOUR: Works are in progress in these islands, and railway works are now being constructed which will give employment and relieve the existing distress.

Dr. TANNER: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland of what nature are the relief works proposed to be carried out in the Ballyvourney, Clondrohid, and Inchigeela districts, and what amount it is intended to spend in each district, and whether all labour employed will be local or imported?

Mr. A. J. BALFOUR: I am unable to say at this moment what the nature of the relief works is.

Mr. COX (Clare, E.): I beg to ask the Secretary to the Treasury whether he has received a Memorial from the Clare Castle Harbour Trustees, through their Chairman, Lord Inchiquin, with regard to the proposed improvement of the navigation of the River Fergus; and whether, in view of the fact that the scheme suggested in the Memorial offers great advantages in the way of relief work by giving employment almost exclusively to unskilled labour, largely available in the locality, and in view of the admittedly great distress existing in the district, he can hold out any hope that the request of the Memorialists will be acceded to?

*Mr. JACKSON: The Memorial referred to by the hon. Member has been forwarded to the Treasury by the Irish Government, and a reply has been sent to Lord Inchiquin, that the Treasury has no funds at its disposal from which assistance could be given for the improvement of the navigation of the River Fergus.

Mr. JOHN MORLEY (Newcastle-upon-Tyne): I beg to ask the Secretary to the Treasury whether he will lay upon the Table Copies of the Report of the Committee, ordered by the Irish Board of Works, which met at Clifden and Galway in January, 1890, to invite promoters to submit surveys and estimates for the Connemara Light Railway, of the tenders submitted, and of the contract and conditions entered into with the Midland Great Western Railway Company for the construction of the lines from Galway to Clifden, from Westport to Mulraney, and from Ballina to Killala, whether public competition was invited for the construction of these lines; and, if not, why not; and whether the Midland Railway Company, since they entered into the contract, have sub-let the Galway and Clifden line, by an arrangement under which a considerable portion of the free grant is to be handed over to the shareholders of the Midland Company, as stated by the Chairman on 13th August?

*Mr. JACKSON: I believe that copies of the evidence taken by the Commission of Inquiry in January of last year were placed during last Session in the Library of the House, and contain all information as to the various schemes then brought forward; there were no tenders in the proper sense of the word, as there could be no line to construct until an agreement had been made by the Treasury with the promoters. In order to give the House all information possible I yesterday moved for a Return of the Orders in Council, &c., which contain the agreements made under the Light Railways (Ireland) Act, and the right hon. Gentleman will find in that Return the particulars he asks for with regard to the Midland Great Western Railway. As regards the second and third paragraphs of the question, I may say that the lines for the construction of which agreements have been made with that company have been started under preliminary contracts, with the object of employing labour at the earliest moment on the works, and I understand that the company is about to invite tenders from a considerable number of selected firms for the final contract. I have no knowledge of any such arrangement as is alluded to in the last paragraph of the question, nor can I find any reference to it in such reports of the Midland Great Western Railway Company's half-yearly meeting as I have been able to consult.

In answer to a further question from Mr. J. MORLEY,

*MR. JACKSON said: I do not think I can say that any other promoters had the opportunity of submitting terms, because the first proposal was a proposal as to a narrow gauge line. It was considered desirable to make agreements with the existing companies for the purpose of securing a satisfactory working of the lines when constructed, and the agreements made relieved the barony from any future charge. The Midland Railway Company will construct and work the line for all time.

MR. J. MORLEY: I do not want to raise a controversy at this moment, but I desire to point out that a large sum of public money has been handed over to a Railway Company without giving other persons a chance of competition, and therefore the Railway Company appears to have been left to dictate its own terms.

MR. WALSH OF THE *CASHEL SENTINEL.*

MR. T. M. HEALY (Longford, N.): I beg to ask the Attorney General for Ireland if he has examined (as promised) into the case of Mr. Walsh, of the *Cashel Sentinel*, now undergoing four months' imprisonment in Tullamore on a charge of conspiracy; whether, before being convicted in Tipperary on this charge, Mr. Walsh had been sentenced to three months' hard labour for publishing in his newspaper a speech of another person commenting on a declaration of the right hon. the Member for Mid Lothian; did the police hold over the first warrant until they ascertained that Mr. Walsh would not appeal against the second sentence, and have they since abstained from executing it, so that the prisoner, by the act of the Executive, is now enduring a punishment later in point of time than the one first inflicted on him; where is the authority for this procedure, and what is the name of the officer responsible; whether, inasmuch as Sec. 23 of the Petty Sessions Act prescribes when a warrant is issued, "for its execution forthwith," it is intended to enforce the first warrant four and a quarter months after sentence, when Mr. Walsh's second term has been completed; and how long may a policeman keep unexecuted in his possession a warrant which he has the power immediately to act on, and which the statute provides shall be executed "forthwith," and where is his discretion to suspend the Law derived from?

*THE ATTORNEY GENERAL FOR IRELAND (Mr. MADDEN, Dublin University): I have examined into the case of Mr. Walsh, of the *Cashel Sentinel.* The warrant in the conspiracy case, under which the prisoner is now undergoing punishment, was the earlier in point of date. The warrant in the appeal case referred to in the question as the first warrant was not, in point of fact, issued until after the warrant in the conspiracy case, and therefore could not have been executed before it. It is not the fact that the police held over the first warrant, or that the prisoner, by the act of the Executive, is undergoing a punishment later in point of time than the one first inflicted on him. When the warrant in the appeal case was issued the prisoner was in custody under the warrant in the conspiracy case. Where there are two sentences which are not concurrent the ordinary course is to execute the second warrant on the expiration of the time of imprisonment under that which was earlier in date. This practice appears to be according to law, and there was nothing exceptional in the present case.

MR. T. M. HEALY: For the fourth time the right hon. Gentleman has carefully abstained from answering the question whether the police have not failed to follow the statute which prescribes that they shall execute a warrant forthwith.

*MR. MADDEN: I have on this and on other occasions fully answered the hon. and learned Gentleman's questions. If the provisions of the Statute have been violated, the prisoner will have his remedy.

THE POTATO CROP IN IRELAND.

COLONEL NOLAN (Galway, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he can state (roughly) by how much the potato crop in North, East, and South Galway fell short of an average crop; if the crop was not only bad but uneven, and if many small holders of land have now nearly exhausted their potato pits; and if it is his intention to, at present, confine all public works to the mountainous portion of the county known as Connemara; and, if so, do not the Reports he has received show that a large portion of the population east of Lough Carrib are now without any potatoes beyond that required for seed?

Mr. A. J. BALFOUR: Roughly speaking, the potato crop in the districts mentioned fell short of an average one by from two-thirds to one-half.

IRISH CENSUS RETURNS.

Mr. DALTON (Donegal, W.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether it is the intention of the Government to call in the services of the Irish National School teachers to fill Census Returns, as in former years; and whether, in that case, the work being in addition to their ordinary legitimate labour, for which they are admittedly underpaid, they will be given the remuneration allowed to the Government Census clerks for similar work?

Mr. A. J. BALFOUR: Irish National School teachers who are in charge of schools will be required, under the authority of the Census Act (in common with the heads of all other educational establishments), to furnish Returns similar to those obtained in 1861, 1871, and 1881. No remuneration is provided by the statute for these duties, and none has ever been given. No similar work is done by Government Census clerks.

NEW MEMBER SWORN.

Sir Frederick George Milner, baronet, for the County of Nottingham (Bassetlaw Division).

MOTIONS.

METROPOLIS WATER SUPPLY.

On Motion of Sir Algernon Borthwick, Bill to place the Water Supply of the Metropolis, and the adjoining districts, under the control of a public authority, and to make further provisions for such supply, ordered to be brought in by Sir Algernon Borthwick, Mr. Baumann, Mr. Fisher, and Mr. Whitmore.

Bill presented, and read first time. [Bill 178.]

VESTRYMEN'S QUALIFICATION ABOLITION BILL.

On Motion of Mr. James Rowlands, Bill for the abolition of the Ratal Qualifications for members of Vestries, ordered to be brought in by Mr. James Rowlands, Mr. Cremer, Mr. Howell, Mr. Whitmore, Mr. Pickersgill, and Mr. James Stuart.

Bill presented, and read first time. [Bill 179.]

ORDER OF THE DAY.

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

LAND TENURE, IRELAND (ARBITRATION).

*(4.17.) Mr. SHAW LEFEVRE (Bradford, Central) rose to call attention to the remaining disputes between large bodies of tenants in Ireland and their landlords, which arose in the years 1885-7; and to move—

> "That, in the opinion of this House, it is the duty of Her Majesty's Government to use its influence for the settlement by arbitration of the remaining disputes between large bodies of tenants in Ireland and their landlords, which arose in the years 1885-7, and, if necessary, to propose legislation to Parliament for effecting this purpose."

The right hon. Gentleman said: I had desired to raise the question which forms the substance of my Motion by way of Instruction to the Land Purchase Bill. It seemed to me that when we are invited to enter upon the discussion of a great agrarian measure for Ireland, by which it is proposed ultimately to abolish dual ownership, and incidentally to reduce very greatly the annual payment of those tenants whose landlords agree to sell, it would be wise statesmanship to sweep away the dregs of a past agrarian movement and to conciliate Irish opinion towards the new measure by getting rid of the remaining disputes between landlords and tenants, and by restoring to their holdings the 2,000 to 3,000 evicted tenants, who, in the almost universal opinion of Irishmen, have been unjustly evicted. If, again, any estates of Irish landlords are to be bought by English money, it would seem to be wise to buy up those whose owners have been the cause of the unfortunate disputes rather than those of the better landlords, who, under Lord Ashbourne's Act, have been clearing out of the country. When I found that I could not raise this question on the Land Bill, I delivered in this Motion. My personal justification is that I have visited, myself, many of the estates which are the subject of my Motion; that I have always come away from them deeply impressed with the importance of bringing these miserable disputes to an end, believing that it can only be effected by arbitration. I have never lost an opportunity of urging this course on both landlords and tenants, and whenever I have spoken on the subject in this House I have always urged the Government to use their influence in this direction, and, if necessary, to propose legislation on the subject. I believe I am right in saying that there are not more than 15 or 20 estates, at the outside, where these disputes exist. From these estates 2,000 to 3,000 tenants have been evicted. They are all living in temporary huts close by their former holdings, sustained by the contributions of Irishmen in every part of the world, and living in confident belief that they will be reinstated in their holdings. Except in the case of two estates, no advance whatever has been made towards re-letting the lands from which these people have been evicted. Although great efforts have been made to bribe Protestant tenants from the North at very low rents, by a free gift of the evicted tenants' interest, to take these farms, no one has been found to run counter to the overwhelming weight of public opinion of the district by taking the farms. They lie derelict and uncultivated; no one who has not seen them can have an idea of the desolation. The houses have often been burnt or razed to the ground. The land is covered breast-high with thistles; the remaining tenants in possession on these estates are living in constant expectation of being evicted; they are unable to farm; their cattle are constantly distrained and carried away. These disputes are the remnants of a very much larger number of cases where disputes arose in 1886. I believe I am right in saying that there were a hundred of such cases. I have no desire to embark in a historical discourse, but it is necessary to remind the House that these disputes arose in consequence of the great fall of prices of agricultural produce, and the failure of Parliament to legislate on the subject in 1886. It is incontestible that if the Act of the following year had been passed a year sooner, these disputes would never have occurred; or if the Act of 1887 had been made retrospective, in the sense of dealing with the arrears which had grown up in the interval extending the period of redemption, the disputes would have been settled. In the interval the tenants finding their appeal to Parliament for remedial legislation, disregarded, turned their attention to agitation and to combination, and adopted what may be called extra legal methods. The better landlords of Ireland made large abatements of rent cases, of judicial rents varying from 20 to 40 per cent.; a minority of landlords, as is always the case in Ireland, stood on the legal rights, and refused to make any abatement. The tenants then combined together, and adopted the form of combination known as the Plan of Campaign. I am not going to defend that, or many of the things which took place. I will only say that in no previous agrarian movement in Ireland has there been so small an amount of crime in the true sense of the term. There are many who suffer from the Plan of Campaign on the brain who think that those who engaged in these combinations were actuated only by fraud. Lord Salisbury has recently said that all those engaged in these disputes were engaged in swindling and stealing their landlords' property. This, in my view, is an utterly wrong view of the case. The tenants are not tenants in the English sense of the term—they are joint-owners; they claimed that when a great agrarian crisis occurred, it was not right or fair that the whole of the loss should fall on one of the joint owners and none on the others; their claim was admitted by all the good landlords, and was conceded by the Legislature the next year. The sequel has shown that in the vast majority of cases the tenants were justified in their demands. I desire to point out that out of the 100 cases of combination, 80 have been practically settled. The cause in all was the same, the landlords refusing to make any abatement; the tenants then combined to demand abatements; the landlords then began to evict, and the Government supported the landlords with all the powers of the Coercion Act. It will not, it cannot be, denied that the main, if not the sole, use of the Coercion Act has been to break down these combinations to enable the landlords to evict, to support them in securing arrears of full and excessive rent. Nineteen out of 20 cases under the Coercion Act have been directly or indirectly connected with these disputes. I have no desire to raise a Debate on the Coercion Act, otherwise I should be tempted to dilate on its utter failure. What I desire to point is this. In no single case that I am aware of has a combination been broken down. A large number have been settled; 80 out of the 100 have been brought to an end. So far as I have been able to obtain information, the settlements have been effected in all of these cases upon the basis of a large abatement of rent, as large in most cases as the tenants originally asked for, and such as, if offered in the first instance, would have avoided all dispute. In every single case the evicted tenants have been replaced in their holdings. In some cases settlements have been arrived at by arbitration with the happiest results; but in all the cases the arbitrators have awarded abatements as large, or closely approaching the amounts originally demanded. In no case can it be said that the combination has been actually put down. Now, Sir, there remain about 15 or 20 cases of combination, and in those cases there is strong evidence to show that the tenants on the whole were justified in their demands. There is hardly any case in which the landlords have not made offers to their tenants, which, if made in the first instance, would have avoided all the trouble. The main difficulty in these cases is, that as a rule the landlords will not concede to the evicted tenants the same terms they are prepared to give to those still in possession; many will not allow the re-instatement of the evicted tenants, while others refused to reinstate the leaders only, or else offer terms which it is not possible to accept. On the other hand, the tenants are on their part unwilling to abandon the evicted tenants, and in consequence refuse to come to terms singly with their landlords. They ask that all shall be treated alike; they hold that as men of honour they are bound to stand by one another, and they will not desert those who have fought the battle for them. I believe that is the main difficulty in all the existing disputes. Now I wish to illustrate the position by two or three cases. First as to the well-known case of Lord Clanricarde. In 1885, when the agrarian difficulty first began, his tenants sent a petition asking for an abatement of 25 per cent. The Petition was signed by Dr. Healy, the Coadjutor Bishop of the Diocese—a prelate whose sympathies are well known to be in favour of the landlords. It was also signed by the Protestant Rector. The agent, in forwarding the Petition, evidently indicated an opinion that the demand ought to be complied with; he stated that the year was a very bad one, and that neighbouring landlords were giving reductions of rent, and he hoped his Lordship would see his way to giving an abatement to the tenants who had not gone into Court. Lord Clanricarde reprimanded his agent for forwarding the Petition, and never gave any reply to it. His tenants then entered into a combination. This took place a year before the Plan of Campaign was devised. Lord Clanricarde thereupon instructed his agent to proceed against them with drastic measures. I may mention that never during the 19 years he has been in possession of the property, has he once been in Ireland to see it. Evictions being resorted to, were resisted with great force by the tenant. I need not remind the House of the correspondence that took place later between the late Chief Secretary, the President of the Board of Trade, and Lord Clanricarde on the subject, in the course of which the former refused any longer to allow the forces of the Crown to be used for the purposes of these evictions, unless he made a reduction of rent equivalent to that granted by neighbouring landlords. Lord Clanricarde then made a feeble and imaginary reduction, which certainly did not satisfy the necessities of the case, and later on, when the present Chief Secretary came into power, the evictions were resumed, the aid of the forces of the Crown being no longer refused. After three years' fighting, and after 100 tenants had been evicted, Lord Clanricarde came to the conclusion that it would be wise to make some abatement, and for the first time he offered a 20 per cent. reduction. If that offer had been made at the commencement of the dispute it would have avoided all difficulty. His agent, before Lord Cowper's Commission, stated in his evidence that if he had been permitted to make that abatement, there would, in all probability, have been no combination on the part of the tenants. When the offer was made the tenants would only accept it on condition that the evicted tenants were reinstated. Lord Clanricarde declined positively to reinstate any of them, and accordingly this miserable dispute went on, and something like 150 more tenants were evicted. A remarkable document appeared in the *Times* today. It is a letter from Bishop Healy, who has been negotiating with Mr. Tener, Lord Clanricarde's agent, on behalf of some of the evicted tenants, desiring to know on what terms they could be reinstated in their holdings. From the agent's answer, published in the *Times*, it appears that the terms on which Lord Clanricarde is willing to reinstate evicted tenants are so monstrous that no tenant can possibly agree to them. In the first place, he will only reinstate those tenants he may think it desirable to reinstate in the interests of the estate. In the second place, he insists they shall pay rent for the two or three years during which they have been out. It really seems absurd to suppose that anybody could have put forward such proposals; but there they are, showing the spirit in which Lord Clanricarde deals with these cases. I believe I am right in saying that there are 800 other tenants still in possession, but expect to be evicted in the same manner. Many of them are already under notice. It may be said that this is an exceptional case, but that is not so. The case of Lord Massereene has a remarkable resemblance to it. Lord Massereene's agent, Mr. Wynne, one of the best-known men in the North of Ireland, and one of the ablest agents, in 1886 advised his employer to make the same abatement that neighbouring landlords had made, but he refused, and his agent was either dismissed or gave notice, and his affairs were put into the hands of a firm of Dublin solicitors, gentlemen who have obtained a certain notoriety for the manner in which they deal with these disputes.

DR. TANNER (Cork Co., Mid): Land sharks.

*MR. SHAW LEFEVRE: The tenants next met together and sent a deputation to Lord Massereene, who refused to see them. Thenceforward the tenants combined, evictions took place, and the usual serious consequences followed. After the dispute had gone on several months Lord Massereene offered terms which the tenants would have been prepared to accept, subject to the condition that the evicted tenants were reinstated; but, unfortunately, though Lord Massereene was willing to reinstate the tenants generally, he made an exception in the case of three of the leaders, whom he would under no circumstances consent to replace. But the majority of the tenants preferred eviction to the abandonment of their leaders, and this led to the breakdown of the negotiations, as the tenants would not desert these three men. The case of the Ponsonby estate differs from that of the Clanricarde and Massereene estates. Mr. Ponsonby was not unwilling to make an abatement of 15 per cent. The tenants asked 30 per cent., and, being refused, joined the Plan of Campaign. Mr. Ponsonby thereupon began to evict. After many evictions, and after months had gone by, negotiations were opened with a view to the purchase of their holdings by the tenants under the Ashbourne Act; and, according to the statement of the tenants, terms were very nearly agreed to. At that stage the hon. Member for Huntingdon stepped in, and, on behalf of a syndicate of landlords, bought the estate with a view of carrying on the dispute. The hon. Member in a speech to his constituents has since explained that his object in so doing was to defeat the Plan of Campaign, and give such a lesson to the tenants who had taken part in it as would deter others from embarking on a similar course. The hon. Member having bought the estate, made a not unreasonable offer to the tenants. Such an offer, in fact, if it had been made at the outset, would have avoided all the difficulty. In the first place, however, he was not prepared to reinstate the evicted tenants. Later on he gave way to some extent and agreed to admit them, but insisted upon their paying the rent for the period during which they had been evicted—in some cases as much as two or three years. Of course, this was impossible, and so all negotiations ceased, and the unfortunate dispute has gone on. During the last few months 250 tenants have been evicted. The tenants were anxious and willing to refer the dispute to arbitration. But the hon. Member for Huntingdon, on behalf of his syndicate, refuses arbitration on the ground that it would be a victory for the Plan of Campaign. The last case I shall mention is that of Mr. Olphert. In this, as in the others, the tenants originally demanded an abatement, and, the landlord offering wholly inadequate terms, the tenants joined the Plan of Campaign, and the evictions proceeded. Efforts were made from time to time to bring this case to a settlement, and I took considerable part in endeavouring to induce Mr. Olphert to agree to refer the matter to arbitration. I saw his son in London, and I also communicated with the hon. Member for South Tyrone on the subject. At one time I had great hopes Mr. Olphert might be induced to adopt this course, but it appears from a statement he made publicly in the North of Ireland that he could not do so, as he had received assistance from other landlords of the district upon the understanding that he would not give way. Over 200 tenants have during the last few weeks been evicted. Undoubtedly Mr. Olphert before the last batch of evictions made offers of a much more generous character than he had ever made before, but no agreement could be arrived at owing to Mr. Olphert being unwilling to reinstate the evicted tenants on the same terms. These are the principal cases, but I could multiply the number if necesssary. Still they fairly illustrate the nature of the existing disputes. As I have already said the difficulty is the reinstatement of the evicted tenants. But I want the House to consider is it reasonable to expect that men who have combined together and promised to stand by one another in order to get an abatement of rent should desert those who have suffered for the general good, and should abandon their evicted friends? To do so would be playing a dishonourable part. Whatever may have been the condition of the original combination—be it legal or be it criminal—I hold that when the main grounds for which the combination was started have been conceded by the landlords, when the combiners have been granted an abatement of rent, and when the only question remaining is the reinstatement of the evicted tenants, then the combination can no longer be called illegal or criminal. I do not think that any jury could be found in the whole of Christendom to convict tenants of criminal conspiracy under such conditions as these. The Chief Secretary and the Chancellor of the Exchequer have stated that if I publicly uttered in Ireland anything illegal I should be treated the same as certain Irish Members have been. Well, I have three times publicly stated this opinion in Ireland, and I presume that, as my words must have been criticised and scrutinised, they have not been found to be illegal. I have frequently said the same thing in this House, and am prepared to justify it either in Ireland or here. Is it not possible to bring these unhappy disputes to an end? Is it not a scandal that the peace of the country should be disturbed because men like Lord Clanricarde and Lord Massereene act in this unreasonable and unjust manner? Arbitration had settled the trouble on the Vandeleur estate as well as on other estates. The dispute on the Vandeleur estate was one of the most difficult I came across in Ireland, because the matter was by no means clear. The landlord offered an abatement, but the tenants demanded a larger abatement, which was refused, so that a combination was entered into, and evictions took place with the usual miserable consequences. I was invited over by the tenants, with a view to endeavouring to bring about an arrangement, and when there I found the greatest possible difficulty in coming to a conclusion as to the real merits of the case. I urged the landlord's agent to agree to arbitration, but without success; but fortunately the hon. Member for Canterbury was more successful. Colonel Vandeleur agreed to the suggestion, and the hon. and learned Member for Hackney undertook the task, his award bringing the dispute to a conclusion. The tenants received an abatement equal to that which they had originally demanded, the evicted tenants were replaced in their holdings, and peace has been restored to the district. The tenants, I am told, are most desirous of abiding by the award, and the priests are doing their utmost to promote that result. Now, I will venture to make an appeal to the Chief Secretary, and to ask him whether this course might not be pursued in other cases, and whether it does not offer a solution of these disputes. How is it to be brought about? I have no doubt that the best plan of bringing it about would be for the Chief Secretary to bring the influence of the Government to bear upon the remaining landlords who are parties to these disputes. I have not the smallest doubt myself that if the Chief Secretary were to summon these landlords or their agents to the Castle in Dublin, tell them that the peace of the country required that these disputes should be brought to an end, and ask them to accept arbitration, his influence would prevail, more especially if he were to hint that, in the event of their refusal, he would not use the Coercion Act or pack juries to support them. These disputes go on mainly because the landlords are supported by the Coercion Acts and because they know that if any case is tried the jury will be packed for them. If they knew that they would not be supported by the Coercion Act, and that they would not have juries packed for them, my belief is that these disputes would speedily be settled. I would therefore recommend the Chief Secretary to suggest arbitration to the landlords, and to couple the suggestion with a hint in the direction I have referred to. Indeed, I believe that if the right hon. Gentleman were to rise in his place tonight and say he is in favour of arbitration, and thinks these disputes ought to be brought to an end in the way I suggest, his voice would be so influential that within a few days we should hear of the settlement of all these cases. So far the right hon. Gentleman has never lifted his voice in favour of such a settlement. I hope I am not doing him an injustice in this matter; but if he can pick out from his speeches in this House any expression favourable to a settlement, or tending towards peace and conciliation, I will gladly withdraw my statement. It appears to me that the right hon. Gentleman's action has so far been in the opposite direction, and has tended to urge the landlords to maintain their old attitude. If legislation were necessary to carry out the policy I advocate, I do not think it would be difficult to frame a compulsory measure on the subject. I would suggest that the disputes should be scheduled in the Bill, and that the Board of Arbitrators should be appointed for deciding what abatements should be made in rents. I do not, however, feel it necessary to enter into the details of such a scheme. All I desire to do is to lay down the general principle that these cases would be dealt with by arbitration. I do not deny that the landlords are within their legal rights; they can claim their pound of flesh. But it is not always wise in these days to insist upon the assertion of legal rights. I suppose the Irish landlords in the time of the Irish famine were within their rights in the action they took. Let me remind the House what a great statesman of our time said on this point—I mean Lord John Russell. In Mr. Spencer Walpole's *Life of Lord John Russell*, recently published, will be found a letter written by that statesman in 1848, when he was Prime Minister of this country. Writing to the Lord Lieutenant in the middle of the famine, Lord J. Russell said—

> "I am not ready to bring in any restrictive law without at the same time restraining the power of the landlords. It is quite true that the landlords of England would not like to be shot at, but neither does any landlord of England turn out 50 families at once and burn their houses down."

I say that, however bad the Plan of Campaign and boycotting may be, they are not as bad as wholesale evictions and the burning down of houses by men like Lord Clanricarde. I have purposely restricted my Motion to the disputes which arose between the years 1885 and 1887, so that it does not include the Tipperary case, which comes within a totally different category, as it was a political dispute which arose in consequence of the indignation of the people in respect of the Ponsonby dispute. My confident belief is that if the Ponsonby dispute were settled by arbitration or otherwise, the Tipperary dispute would come to an end. In conclusion, I can only say that every consideration, whether of justice to the tenants, or of the interests of peace in Ireland, or of wise statesmanship, points to the same suggestion, namely, that the Government ought to use its influence in obtaining a settlement of these cases by arbitration, and if they fail to do so, ought to apply to this House for legislation. I confidently appeal to the House in favour of a policy of peace and conciliation. I beg to move the Motion which stands in my name.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, it is the duty of Her Majesty's Government to use its influence for the settlement by arbitration of the remaining disputes between large bodies of tenants in Ireland and their landlords, which arose in the years 1885-7, and, if necessary, to propose legislation to Parliament for effecting this purpose,"—(*Mr. Shaw Lefevre,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of Question."

*(5.9.) MR. T. W. RUSSELL (Tyrone, S.): In rising to oppose the Motion I may say there are two things I have no desire to do. I have no desire to enter into any thick and thin defence of Irish landlords, and certainly it is no part of my business, here or anywhere else, to attempt any defence of Lord Clanricarde. Nor have I any intention of condemning in any general way the principle of arbitration. If any landlord, having a dispute with his tenantry, chooses to submit that dispute to arbitration I am perfectly satisfied, and I think he will probably act wisely. But when the right hon. Gentleman comes forward with arbitration as a kind of specific for this disease—a kind of lymph that has simply to be injected into the Plan of Campaign to effect a complete cure of the disease—I take leave to differ with him. And it is on that ground that I oppose the Motion. I can very well understand the anxiety of hon. Members on this side of the House to have the Plan of Campaign out of the way and settled. There are many reasons why they should wish the Plan of Campaign out of the way at the present time. In the first place, it is a very costly business, and the folly of the hon. Member for North-East Cork and the hon. Member for East Mayo in launching the Plan of Campaign has been about the most costly folly that Irish Members have ever committed. Speaking at Chicago on November 29 last, the Member for East Mayo said—

"During the last two years I myself have been obliged to pay out on the average 25,000 dollars per month for food, and for the purpose of providing means for famishing people."

That is to say, after having advised people to give up the means of livelihood that they possessed, and after having used means which amounted, in my opinion, to absolute coercion in order to carry out the Plan, the hon. Member goes to America and informs the American people that this costly folly tots up to an expenditure of something like £5,000 or £6,000 a month. You can well understand, therefore, why hon. Members on this side of the House wish to get rid of the Plan of Campaign. But there are other reasons. There are also contingent liabilities. The right hon. Gentleman the Member for Bradford has encouraged the evicted tenants by promising that they shall be reinstated in their holdings when the right hon. Gentleman and his friends return to political power. Now, that is a very dangerous promise for the right hon. Gentleman to make to any such body of people. In the first place, it is a promise which the right hon. Gentleman may never have an opportunity of carrying out; and even if the right hon. Gentleman attains to power he may find it exceedingly difficult to carry it out. I think the right hon. Gentleman the Member for Newcastle (Mr. John Morley) has given an intimation that he sees difficulties in the way. At any rate, I am certain that the hon. Member for West Belfast (Mr. Sexton) does so, for what did he say at Cork on the 17th of December, 1890? He said—I am quoting from the *Cork Daily Herald*:—

"What has Mr. Parnell done in the case of the evicted tenants—the men who have sacrificed all for principle, the adopted children of the nation? He has said in that manifesto that the Liberal Party could do nothing for them by means of direct action. That was a misleading declaration. If by direct action is meant legislation, of course we are all aware that the Liberal Party could not command the assent of the House of Lords, but the Liberal Party, when it comes into power, will have the control of the House of Commons, and control of the House of Commons means control of the purse, and I am not aware of any reason why the Liberal Party, controlling the Exchequer of the country, might not be enabled to make a grant in aid of the evicted tenants, who had suffered by the unjust exercise of the law."

Considering the cost of the Plan of Campaign and the bills drawn on the future, hon. Members on this side of the House have every reason to press for a settlement to get rid, first of the cost, and then of the contingent liabilities. The Member for Bradford seemed to me—I hope I did not misunderstand him, and I certainly do not wish to misrepresent him—to argue that if the Act of 1887 had been passed in time, the Plan of Campaign never would have come into operation, and these evicted tenants never would have suffered.

MR. W. E. GLADSTONE (Edinburgh, Mid Lothian): Hear, hear!

*MR. T. W. RUSSELL: I have the assent of the right hon. Gentleman the Member for Mid Lothian to that statement. I ask the House to look that statement fairly in the face, and contrast it with the actual facts. I do not believe that the Plan of Campaign was brought into operation for the purpose of relieving the tenants at all. I will tell the House why I say so. The hon. Member for East Mayo (Mr. Dillon), speaking on October 4th, 1888, in Dundalk, while the Plan of Campaign was at its height on the Massereene estate, plainly stated what the struggle meant. He said—

> "The struggle on the land question is only part and parcel of the great struggle for Irish independence, which was fought for in '98, in '48, and in '67."

That was why the Plan of Campaign was brought into operation. It was founded on a doctrine preached by Mr. John Mitchell at a much earlier date, when he said—

> "I am convinced, and have long been, that the mass of the Irish people cannot be roused in any quarrel less than social revolution, destruction of landlordism, and denial of every tenure and title derived from English sovereigns."

That is the basis of the Plan of Campaign, and not any desire to shield the tenantry. To come now to the question of the Act of 1887, the right hon. Gentleman the Member for Bradford asserts that if the Act had been passed in time all the struggle might have been avoided. Now, what did that Act do? It provided for the revising of the judicial rents for a limited period; but will any hon. Member say that the reductions in the judicial rents granted under that Act ever equalled the reductions offered by the landlords, with the single exception of Lord Clanricarde, before the Plan of Campaign was brought into operation on their estates? Much larger reductions were offered in every case, always excepting that of Lord Clanricarde, before this warfare commenced, and were declined. That can be proved. Therefore it is not fair of the right hon. Gentleman to state deliberately that if the Act of 1887 had been passed in time the trouble would have been avoided. I say that the landlords were in the main better than that Act, and this, therefore, bars the right hon. Gentleman's argument as to the Act of 1887. The fact of the matter is that the Plan of Campaign was only founded as a political machine, and it has been used as a political machine. The right hon. Gentleman the Member for Bradford has gone over several estates, and argued strongly in favour of applying arbitration, compulsory if necessary, to the disputes. Now, I would call the attention of the House to at least three cases where this principle of arbitration has been brought into operation in Ireland. First is the case of Captain Hill, of Gweedore, and that case was the origin of the whole trouble in Gweedore. I am not very sure that the Chief Secretary or his agents have not some responsibility to bear for the trouble that followed Captain Hill's settlement. Captain Hill is the owner of a small property in Gweedore, where the holdings are small and the people are poor. Trouble arose in 1887, and evictions were on the point of taking place. The whole dispute was practically left in the hands of Father M'Fadden as arbitrator, and what took place? The forces of the law were on the estate, and evictions were imminent. The tenants owed £1,914 on the decrees. They offered £1,456, and, by the way, this was the famous case where Colonel Dopping was agent. This was a reduction of 5s. 6d. in the £1 on the non-judicial rents, and a reduction of 20 per cent. on the judicial rents. The landlord asked for £1,516, but Father M'Fadden's arbitration was accepted, and Colonel

Dopping agreed to receive the £1,456. All the expenses were to be paid by the landlord; all the tenants were to sign agreements to become judicial tenants at 25 per cent. reduction, and all the old tenants were to be reinstated. In fact, every condition suggested by the right hon. Gentleman the Member for Bradford was in this case carried out. The terms of the tenants were absolutely conceded; but have the rents been paid? I know of my own knowledge that the agents sat for two days in the rent office last month without a single tenant crossing the door. I want to put this to the House: It is one thing to talk about arbitration, but it is quite another thing to get the award carried out. What is the Land Court, established under the Land Act of 1881, but a Court of Arbitration appointed by the House of Commons itself? And yet the judicial rents fixed by this Court of Arbitration under the authority of this House are no more sacred than the rents which have not been revised; and the awards of the Court can only be enforced by eviction. What is the use of piling award upon award? What is the use of setting up another Court of Arbitration to revise the Court already set up by the House itself? The awards can only be enforced by eviction even in that case; the eviction will be resisted, whatever the Court be; and all the same unpopularity will attach to it, simply becausethe Plan of Campaign is not a movement to relieve tenants, but a political engine. Another case of absolute arbitration is to be found in the Glensharrold estate. There the landlord has disappeared altogether, having been ruined long ago. Glensharrold is a miserable place, where it is quite impossible for the people on the wretched land to make the rent, or a living. They make their rent out of the bog and the sale of the turf. The dispute was between the tenants and the Land Court, with Mr. Justice Monroe at its head. The Court offered an abatement of 30 per cent., on rents that had been judically fixed in the main. That offer was rejected, and the Plan of Campaign was adopted. How would the Act of 1887 have prevented the Plan of Campaign in Glensharrold, seeing that its highest reduction was 16½ per cent.? The people were poor, and, therefore, extraordinary exertions were made by a number of philanthropic gentlemen to get the dispute settled. Mr. Justice Monroe was practically the arbitrator between the landlord and the tenants; he had no interest in the land. As to what the facts were, I will quote from a letter written by the Bishop of Limerick, the Bishop of the diocese, who undoubtedly knew the circumstances of the case, and who felt for the poor people. There were arrears due to March, 1890, amounting to £2,611 14s. 9d. The payment to be accepted for this sum under the arbitration of the Court was £384 11s. The arrears to be forgiven, therefore, were £2,227 3s. 9d. No Court of arbitration could have been much more liberal than that. These were the terms offered by Mr. Justice Monroe, so far as arrears were concerned, and I will prove that they were superior to those offered by at least one hon. Member who will support the Motion before the House. With regard to the actual rent, the old rent paid by these people amounted to £738 15s. 4d.; the judicial rent was £542 6s.; and Mr. Justice Monroe offered to take and fix the future rent at £384 11s. This was an annual reduction in the actual rent of £354 4s. 4d. Here was a Court of Arbitration making reductions as favourable to the tenant as could be conceived, and what was the result? The proposals of Mr. Justice Monroe and Bishop O'Dwyer wore absolutely scouted; huts were put up, and the tenants were evicted. Now they are living in cold and starvation, and the right hon. Gentleman the Member for Bradford says that if the Act of 1887, which could give no such terms as those I have mentioned, had been passed earlier, all would have been well. "You have only to arbitrate, and, presto! the whole difficulty vanishes," says the right. hon. Gentleman. Then I come to the case of the Vandeleur estate. I know that estate very well. I have been there. The right hon. Gentleman asserted that the Vandeleur estate provided a sample of arbitration for Irish landlords. I myself have no land in Ireland or elsewhere, and I am thankful for it—not as much as would sod a lark. But my desire in the whole of this land dispute is to see that the tenants get justice, and that those who wish to rob the Irish landlords do not have the chance to do so. Now, I come to the Arbitration Court which the right hon. Gentleman holds up as a pattern for those who hold land in Ireland. Who was the arbitrator? Was he an impartial person? Because in any Court of Arbitration the first duty ought to be to find an impartial person. But, instead of this, there was chosen from the very thick of the fray a gentleman whose opinions are very clearly defined. That doubtless was Captain Vandeleur's business and not mine; but when such a process as this is held up as a model for other landlords to follow, I think it our business to see what is really the case. The gentleman appointed as arbitrator was the hon. Gentleman the Member for Hackney (Sir C. Russell), with the hon. Gentleman the Member for Canterbury (Mr. Henniker Heaton) looking on. These persons arrive at the estate, and decide not only what is the amount due and to be paid, but they actually fix the rents for the future. I do not suppose the right hon. Gentleman proposes to take any such power in regard to Courts of Arbitration to be established in the future. At any rate, that was the power set up by them. Will the right hon. Gentleman tell me that the award thus made on the Vandeleur estate has been carried out? Will he say how many tenants have felt themselves bound by that award, and paid the instalments ordered? Will anyone tell me that? Will the hon. Member for Canterbury rise and give the information? Probably he could tell more than any other Member of this House. But I say that both publicly in the newspapers and privately from those who know, or profess to know, I have been informed that while a certain number of tenants really stuck by the award, and paid their instalments, a considerable number have done nothing of the kind, but have refused to pay anything at all. We had better have the truth as to this question. If these tenants have paid, those who know the fact ought to say so, and contradict the rumours that have been abroad. I know nothing of my own personal knowledge on the subject. I only say what I have seen in the newspapers, where it has not been contradicted, and what I have been informed by persons in the neighbourhood that the facts are as I have stated. Looking at the fact that the awards made, which have been highly favourable to the tenants, have been set aside in the case of Captain Hill and in other cases—I have quoted the Glensharrold case already—I say the right hon. Gentleman the Member for Bradford cannot come here and prove that arbitration is a specific for these disputes. A good deal has been said about Lord Clanricarde, and I am not about to take on myself the task of defending him. I have been over his estate, and will say this, that whilst he has neglected every duty that can be said to belong to the ownership of property, while he has behaved in an utterly callous manner, and has cared nothing for putting the Government or any one else into difficulties—it may be said for those who have thrown this quarrel on his tenants, that their responsibility also counts for something. They knew their man, and before subjecting these people to the hardships they now suffer, having had to live through the winter which has just passed in their wretched wooden shanties, experiencing the bitter cold; being without the doles they were premised, some of them afflicted with typhoid fever and dying from day to day; those hon. Members who are responsible for all this ought first to have counted the cost. They have not suffered themselves. Whatever happened to the evicted tenants, the Parliamentary Fund has been all right. They knew that Lord Clanricarde was the last man in Ireland whom they ought to fight. They knew he had a large reserve outside Ireland, and that he could sit in the Albany not caring what happened in Galway. They knew that years hence he would issue his orders to his agent, who would be certain to carry them out, that Galway might be depopulated for all the noble Marquess cared; and I repeat that the men who promoted this quarrel between Lord Clanricarde and his tenants carry on their shoulders an immense responsibility. What has been said of Lord Clanricarde? I spent a week on his estate, doing my best to get at the facts, and I obtained them. I am wholly against his refusal in 1885 to give a moderate reduction such as other landlords gave. He was utterly in the wrong, and is about the only landlord who has been subjected to the Plan of Campaign who made such a refusal. But I found that in the district of Woodford the unrevised rents of Lord Clanricarde—the rents not subject to judicial process—were absolutely lower than the rents of Lord Dunsandle and other landlords in the same neighbourhood, which had been through the Court, and subject to judicial control. Gentlemen whose word would be believed anywhere, say that on the part of his estate where the war was hottest the rents were reasonable, and that the men who were at the head of the war were not Lord Clanricarde's tenants at all. But I say that the case of the Irish landlord has no more right to be judged by that of Lord Clanricarde, than the case of the Irish tenants in general has to be judged by that of the Plan of Campaign tenants. Lord Clanricarde has brought nameless calamities on his country, and the Plan of Campaign tenants have done more to injure their question than all the Irish landlords have done for a quarter of a century. Lord Clanricarde is blamed, but I hold in my hand a report from an Irish newspaper, dated the 27th of this month. A landlord in County Wexford had evicted a tenant, and in my opinion had evicted him properly. That tenant owed five or six years' rent, and the amount due was £34 5s. I have the report from a local newspaper. The landlord had given an abatement in 1885 and had done right in so doing. The abatement he gave was a large one—30 per cent.—but no rent had been paid during the five or six years which followed. The County of Wexford is one of the best counties in Ireland. The landlord was not only within his right, but morally he was bound to take proceedings against such a man. In the report the landlord was asked what abatement he was willing to give on the arrears. The landlord refused to abate a farthing, but insisted on having his pound of flesh. Who do you think the landlord was? It was not Lord Clanricarde. It was not Mr. Smith-Barry. It was the hon. Baronet the Member for South Dublin. I hope he will not think I am challenging his right, or holding that he was doing wrong, but it is rather hard to find gentlemen acting in this way to protect their own property, coming to this House to vote for Resolutions interfering with other people's property, and applying to that property principles they will not apply to their own. I will now say a few words to those on the Front Opposition Bench. I suppose they will vote for this Motion. I am sorry the right hon. Gentleman the Member for the Stirling burghs is not in his place. He is greatly respected in his native country, although of late he has been developing into something like a Gladstonian Rob Roy. In my native county, the right hon. Gentleman recently delivered an address to his constituents, in which arguing, not against the Plan of Campaign, but against the Land Purchase Bill, he said:—

> "On the whole it seemed to him, that as the mass of the tenants of land in Ireland had fixity of tenure, and a rent fixed by a judicial tribunal, which could be readjusted every 15 years, he really did not see that they had very much necessity to go further in their favour."

That is the policy of the right hon. Gentleman in relation to Irish land. If that is a good argument in favour of protecting the British taxpayer, it is one also for protecting the Irish landlord in his legal rights. I am inclined to regard the right hon. Gentleman (Mr. Campbell-Bannerman) as a higher authority than the right hon. Gentleman the Member for Bradford. At any rate, he has been Chief Secretary for Ireland, and he does not speak at random. In regard to this Motion, my objection, as I have said, is not to the principle of arbitration, if the two parties wish to appeal to that principle. But the right hon. Gentleman spoke of the Olphert estate. That is an estate I know a good deal about. I have been over it frequently. I know many of the tenants, and I have heard from them what they think of what is going on. What is their story? Mr. Olphert, five years ago, had 450 tenants. I think that now he has 120. Where are the rest? They have been evicted for non-payment of four or five years' rent—just the number of years which the hon. Member for South Dublin evicted his tenant for. It is complained that Mr. Olphert gave no abatement. Neither will the hon. Gentleman. But Mr. Olphert did offer an abatement. He made it before the Plan of Campaign, and it was refused by both judicial and non-judicial tenants. From that day to this Mr. Olphert has never ceased in his efforts to conciliate his tenants. He has offered to the poorest of his tenants an abatement amounting to 80 per cent. That offer was made and refused in my presence. To the rest of the tenants, who are fairly well to do, he has offered not 80 per cent., but favourable terms. I deny that Mr. Olphert has ever refused a general settlement, or refused to reinstate evicted tenants. I deny in Mr. Olphert's name that he has ever done what the right hon. Gentleman has charged him with. Judged by the facts, no man has acted more generously, with small means, than Mr. Olphert has done. The right hon. Gentleman has said that there are twenty estates under the Plan; that only on two have even efforts been made to plant them with tenants, and that where efforts have been made, they have not been real, but sham. I beg to tell the right hon. Gentleman that there is not a vacant holding on the Coolgreany estate now. Not only are the rents paid for the current year, but the interest on the borrowed money has also been paid. I tell him that the tenants on the Massareene estates are *bonâ fide* tenants, from the counties of Fermanagh, Tyrone, and Londonderry. Two estates only! Has he not heard of Luggacurran, the Marquess of Lansdowne's estate? And what has happened on the O'Grady estate? The O'Grady has turned his estate into grazing land, and he is doing infinitely better with his cattle than he did with his tenants. Then they talk of the victory of the Plan of Campaign. Apart from grounds of humanity, The O'Grady has no reason to care if never another tenant sets foot upon his estate. Take the Ponsonby estate. There every tenant has been evicted, and 1,500 head of cattle, and 700 or 800 sheep are grazed. I daresay the owner will be better off with the cattle than he was with the tenants. ["No!"] Yes, it is a matter of figures. In a monetary sense, cattle pay better than when the estates are tenanted. Go to any of these estates, and you will find that they have been re-tenanted by *bonâ fide* tenants, or they are being grazed by the landlord or some syndicate. That is called a triumph of the Plan of Campaign. I should not like to be responsible for such a triumph. According to the right hon. Gentleman, there are more than 2,000 tenants out of their holdings. They are suffering; some of them are making efforts to get back. Who is responsible for keeping them in idleness, for unmaking them in every sense of the word? They are living lives of wretched idleness; they are loafing about the public-houses of Youghal and other towns. Who are at the root of all this? The men who founded the Plan of Campaign. They have deprived these tenants of the means of earning their livelihood; they have caused them nameless and horrible suffering; they have sent them to the big towns of England and Scotland, and some of them across the Atlantic. Yet the men who have done all this come now to this House, and beg the right hon. Gentleman the Chief Secretary for Ireland to extricate them from the difficulties they themselves have created, by means of a system of arbitration that has broken down hopelessly wherever it has been tried, and will not necessarily succeed, because the right hon. Gentleman the Member for Bradford considers it a specific for this Irish disease.

*(5.53.) SIR T. GRATTAN ESMONDE (Dublin Co., S.): The hon. Gentleman who has just sat down has accused me of evicting tenants.

*MR. T. W. RUSSELL: I said the hon. Gentleman sued for his rent, and he was entitled to get it.

SIR T. G. ESMONDE: At all events, the hon. Member pointed out my wickedness. ["No, no!"] At all events, he pointed out the fact of my having evicted a tenant. ["No!"] He did not? I fancy he did.

*MR. T. W. RUSSELL: I did not point out the hon. Member's wickedness.

SIR T. G. ESMONDE: Well, he pointed out the fact anyhow, of my having evicted a tenant, as a sort of counterpoise to the doings of the landlords whom he has taken under his wing. I have no doubt the hon. Gentleman desired to be perfectly accurate when he said that I offered no reduction whatever to this tenant since 1885. As a matter of fact I offered this tenant a reduction every year since 1885. His rent was reduced, and I offered him furthermore a reduction of 30 per cent., and if he did not choose to pay that, well, he made a very great mistake, that is all I have to say. The other tenants on the property accepted those terms. Of course, that is only a slight inaccuracy in the speech of the hon. Member. There is another slight inaccuracy in his speech in reference to the tenants engaged in the Plan of Campaign on the Brooke Estate. It is said that these tenants were silly enough to adopt the Plan of Campaign, and that there are now prosperous tenants on their holdings. It is true that there are people from the north in possession of these farms, but it is known that most of these so-called *bonâ fide* tenants instead of paying rent, are paid for becoming tenants. It is also a matter of notoriety that those tenants are only too anxious for an opportunity to get away from their obligations, such as they are, and to leave the farms on which they have been placed. I think if the landlord of the particular property which has been mentioned were consulted, he would raise his voice against arbitration or an amicable settlement with his tenants. The hon. Gentleman has contended that the awards under arbitration would not be obeyed, but the hon. Member utterly failed to see that the fact of arbitration having failed in three instances, which he named, does not affect the general question of recourse to arbitration. I do not believe that the hon. Member is really serious in his opposition to the Motion, which is an attempt to deal with an urgent portion of this great subject in the way suggested by the right hon. Gentleman the Member for Bradford. I should think Her Majesty's Government would be very well advised, in the interests of peace in Ireland, in giving a favourable reception to this Motion of the right hon. Gentleman. If Her Majesty's Government do not see their way to accept the Motion, or endeavour to deal with the special cases in some such manner as indicated, we must only believe that all their assertions of anxiety for peace and order in Ireland are utterly bogus assertions, that they are not really anxious for peace, but for disturbances in Ireland, in order that they may have an additional reason for continuing to work the Coercion Act to their own purposes. It may be that Her Majesty's Government will listen to the bad advice of the hon. Member for South Tyrone, and we shall conclude that the Irish tenant farmers need expect no sympathy or assistance from the present Tory Government. If this Motion is negatived by the efforts of the Government, then the Debate will have served this useful purpose, it will have shown the Irish tenant farmers and the evicted tenants who their real friends are, and how much faith can be placed in the assurances of the Party opposite. Irish farmers will be able to realise how much there is in the assurances of kindly feeling entertained by Her Majesty's Government, when they read the proceedings in this Debate tonight. At all events, this Motion, and the support we give it, will dispose of the statements that Irish tenants are not anxious to meet their landlords in every possible way; the Debate will dispose of the stock argument that the tenants are the deluded victims of agitators who desire to keep the land question open, and that but for Her Majesty's Government Irish landlords would have no chance against the organised action of their countrymen. It will show that the representatives of the tenant farmers in the House have offered to meet the landlords in a kindly way, and in the spirit of compromise, with a view to ending the disputes which have arisen upon land questions, upon which we are told agitation lives and thrives. If the Motion is negatived, it will show the Irish farmers who their friends are, and it will relieve us of the responsibility some endeavour to attach to us of carrying on the agrarian conflict in Ireland. We have, in spite of all charges and misrepresentations, in spite of taunts from the hon. Member for South Tyrone and others, refused to desert the Irish tenants, and we have not the slightest intention of doing so. We shall stand by them by every means in our power and see them through the contest in which they are engaged. Without fears or foreboding we look forward to the end. We know that practically the whole people of Ireland have pledged themselves to support these evicted tenants, and that they will fulfil their pledge. We know that the Irish nation outside Ireland, in America, in Australia, and elsewhere, will not allow these evicted tenants to starve because of the sacrifices they have made for what they and we understand to be the National cause of Ireland. We have waited long, and can afford to wait a few weeks longer, until a General Election shall replace the present Tory Coercionist

Ministry by another administration, which will, we believe, do justice to all sections of Irishmen, and lend a willing ear to the just claims of the Irish people.

(6.6.) COLONEL SAUNDERSON (Armagh, N.): It is an interesting experience to me to follow an hon. Member sitting below the Gangway on the other side of the House who is in possession of Irish property. The hon. Member makes a great mistake when he imagines that my hon. Friend the Member for South Tyrone, or any gentleman on this side of the House, felt that any blame of any kind is to be ascribed to him for the performance of a function landlords unfortunately have to perform sometimes, and which is generally found very disagreeable, namely, the eviction of a tenant who absolutely refuses to pay any rent. The hon. Member tells us that the rejection of the proposal of the right hon. Member for Bradford will, in some way or other he did not explain, relieve him and his friends from responsibility in connection with the agrarian battle now being carried on in Ireland, and which I am glad to hear him admit is carried on under the auspices of the Separatist Party. For my part, I fail to see how the rejection of the Motion can relieve the hon. Member's Party from the grave responsibility which they incurred when they drove unfortunate tenants from their farms. It will bring no relief to a starving tenant who formerly throve on his farm, and who has received no monetary assistance since disaster befel the Home Rule hat; it will be no satisfaction to him to learn that the Resolution has been negatived by the House. I believe that for years and years to come the tenants who have suffered so much from the dictates of gentlemen who have not suffered at all will curse the day when they first listened to the abominable advice which has resulted in turning prosperous tenants into beggars on the road side, depending for their doles upon the uncertain exchequer of the National League. Dealing with the speech of the right hon. Member for Bradford, the first observation I have to make is that the right hon. Gentleman has made the same speech on many previous occasions. The right hon. Gentleman's speech, however, does not become more perfect, although he so often practises delivering it. The statements of the right hon. Gentleman with reference to certain estates in Ireland are, as a rule, promptly overturned. The right hon. Gentleman appears to possess two qualities pre-eminently—great industry and immense credulity. I want, in a Parliamentary manner, to throw discredit on the arguments the right hon. Gentleman employs. Not long ago the right hon. Gentleman went to Constantinople to interview the Sultan, but instead of being introduced to the Sultan he was taken to the stable, where he was shown the Sultan's mare, and, fortified by his interview with that quadruped, he forthwith wrote a long article on European affairs. The right hon. Gentleman has also visited Ireland, and been personally conducted through certain estates by Members of the Home Rule Party. He acted on that occasion with great discretion, and showed his possession of some military capacity. He thought, advancing into this dangerous country, it would be well to secure his rear from attack and prevent his communications from interruption by the enemy. So the first thing he did was to make application to Dublin Castle to learn if the Chief Secretary intended to take an interest in his progress. Finding that the Government did not propose to supply him with a shorthand writer, though possibly they might have to afford him police protection, he proceeded on his personally conducted expedition and paid visits to three estates. He was introduced to certain priests and to certain carefully selected tenants, and then, on his return to England, the right hon. Gentleman delivered the speeches with which we are all now familiar. Hon. Members below the Gangway opposite have incurred great responsibility in moulding the right hon. Gentleman, who was very malleable, into what we see now. I believe the right hon. Gentleman is quite capable of taking in accurate information if he would only take the trouble to ascertain the facts and listen to both sides. If he had gone to tenants who had the honesty to pay rent, instead of devoting all his attention to the tenants who refused to pay, I am sure that, in common honesty he would, in the course of his patriotic speech, have informed the House that there were some tenants whose views did not coincide with his own. What does the right hon. Gentleman propose to do? Having vaguely condemned the Plan of Campaign, which he described as an "unfortunate incident," he proceeded with great lack of logic to move a Resolution which would place the land of every Irish landlord absolutely at the mercy of that organisation. What would be the result of carrying this Motion? If hon. Gentlemen opposite from Ireland took exception to the political action of some hon. Gentlemen on that side of the House, as they took exception to the action of my hon. Friend the Member for Huntingdon, all they would have to do would be to issue a mandate not to pay a farthing of rent; whether the rent was just or unjust, that would not matter in the least. The moment that mandate goes forth the tenants refuse to pay, and, irrespective of the merits of the case, then comes in the operation of this novel piece of statesmanship proposed by the right hon. Gentleman. Although he does not approve of the Plan of Campaign, he thus will place power in the hands of the campaigners to seek to extort from a political opponent under threat of possible ruin any demands they may choose to make. That would be the result of carrying this Resolution. Disapproving apparently of the Plan of Campaign, the right hon. Gentleman approves of placing the whole of Ireland under its influence. Any man who chooses to deal with this question in a logical shape will see that what I say is absolutely incontestably correct. There is one method adopted by the right hon. Gentleman to which I must take exception. It is his habit, when he is about to make an attack upon a landlord, to take an instance—say that of the Clanricarde estate, and alluding to the fact that this particular landlord refused to make an abatement in his rents, although a neighbour made a reduction of 20 per cent., he is held up as an example of a monstrously unjust man. But it does not follow. I know cases in a district where the taking off of 25 or 30 per cent. would not bring down the rents of one estate to the level of those in another where no abatement is made. Everything depends on what the original rent was. If it was a low rent, why should there be an abatement? So far as I have heard in the course of the Debate, I have not been able to discover a single argument to induce the House to agree to this Motion. What is it that the proposal amounts to? What is it offered to my right hon. Friend the Chief Secretary as a final and scientific settlement of the land difficulty? The right hon. Gentleman the Member for Bradford tells us what he would do were he Chief Secretary for Ireland. He would summon the landlords to Dublin Castle, and then he would tell them that if they did not accept the terms of arbitration — which, I suppose, their opponents would lay down—he would withdraw from them the protection of the law, which in his position he would be bound to maintain. He would take away the protection of the police, on which their lives in many cases depended, and place them at the mercy of their opponents, unable to get any rent, unable to protect their lives. I trust the day is far distant when any British statesman belonging to the Unionist Party will consent to accept so cowardly, mean, despicable, and dastardly a proposal as that. But this is what the Member for Bradford proposes. I cannot conceive that any man with any sense of justice would consent to adopt a proposal of the kind. He would subject men to ruin, to the danger of their lives, simply because they asked their tenants to pay rent, not fixed by the landlords, but by the Act carried by the right hon. Member for Mid Lothian in 1881 as "a final solution of the Irish land question." This Debate, however, is merely the preface to another Debate on Monday week, to which I am sure the right hon. Gentleman the Member for Newcastle looks forward with unbounded satisfaction. It is thought well to clear the ground, but the importance of this Debate is that it saddles the Party opposite before the country with sympathising with a policy and adopting a plank in their platform which I believe they are sorry they ever stood upon. I have often, and sometimes I hope with success, pointed out that the Party opposite in adopting the policy have adopted the morality of their Irish allies, and we have proof of that in the suggestion that the policy of the Plan of Campaign should be extended all over Ireland as a happy solution of the land difficulty. The Member for Mid Lothian, in a speech in Scotland, pointed out that at the present time crime does not follow boycotting and other kinds of intimidation, and that that differentiates it from former times. Well, although violent crime may not follow the Plan of Campaign in the terrible way that it followed the League proceedings when the right hon. Gentleman was Prime Minister, although it is not followed by the crime of murder, yet to destroy the peace and happiness of a man is really a crime. It may be said that the right hon. Gentleman does not read all the speeches of his followers in Ireland, and therefore he may think that violent intimidation no longer exists. I will read, therefore, in the hearing of the right hon. Gentleman, an extract from a speech which shows the same kind of intimidation couched in the same words which were used in the days when he was Prime Minister, and these words are used to produce the same effect. This is an extract from a speech delivered at Nenagh on January 11 by the hon. Member for Longford, a speech which, like all he now delivers in Ireland, was made under police protection.

MR. T. M. HEALY (Longford, N.): Yes; police protection from the Parnellites.

COLONEL SAUNDERSON: What a happy family they are. This speech was made, and it is a curious thing that in that speech the hon. Member for Longford employed the very same expression which his former leader, and probably his future leader, whatever he may say about Parnellites, used some time ago. The Member for North Longford said—

> "He would tell Mr. Balfour, he would maintain and tell them on every platform on which he stood, that the man who took a farm out of his neighbour's hands was a scoundrel, and that the people should treat him like a leper"

—the words of the Ennis speech. Well, we do not like to be treated like lepers in Ireland, and words of that kind amply justify the stand we have taken. We know perfectly well that if the Plan of Campaign and Land League Party have the ascendency, if we have a Land League Parliament, we shall be treated like lepers. We have objected to that, and we shall continue to object to it; but what I cannot conceive is that any Radical, who is supposed to be a man who loves freedom and justice, should get up in this House, or before an audience in the country, and deliberately support the system adopted under the Plan of Campaign. I appeal to the head of the Radical Party—the hon. Member for Northampton. How can an hon. Member like him support the principle of the Plan of Campaign? Let him imagine himself a tenant in Tipperary. I observed that the Member for Bradford carefully avoided Tipperary. We shall have enough of Tipperary next week. Here were men who openly avowed that they had no quarrel of any kind with their landlord—that their rent was a just and fair rent. They did not allege that the hon. Member for Huntingdon (Mr. Smith-Barry) was a rack-renter or an unjust landlord; but because he had the audacity to confront that organisation in Ireland which is the backbone of all the policy of the Party opposite—because he did that, the leaders of the Plan of Campaign went down—the father and mother of the Plan, Messrs. Dillon and O'Brien—and ordered the Tipperary tenants of the hon. Member to leave their farms, their houses, and their shops, where they greatly prospered, and live in the wretched lath-and-plaster shanties with which the League supplied them. If they did not obey, the tenants were to be treated like lepers. And this is the policy which Radicals in this country think worthy of their support. I cannot think that the good sense and patriotism of the Radicals will ultimately allow them to consent to such a policy. No matter how they may value the necessity of supporting for a time the Plan of Campaign, I cannot believe that they will ultimately consent to place around the necks of the Irish people a yoke destructive of their liberty, their progress, and their happiness.

(6.30.) MR. T. M. HEALY: The hon. and gallant Gentleman has not been very happy in his remarks to-night. I observed he had to go to the Bosphorus for his bulls. The hon. and gallant Gentleman has been kind enough to read a pretended extract from a speech of mine. I suppose he took it from the *Freeman's Journal?*

COLONEL SAUNDERSON: No; I took it from the *Cork Herald.*

MR. T. M. HEALY: The substance of the speech I admit and stick to; but I advise the hon. and gallant Gentleman when he refers to police protection to be a little more careful than he has been. It is the fact that one gentleman who attended that meeting was in receipt of police protection. He was a Parnellite gentleman, who had the night before struck me a blow on the head; and as he required to attend the meeting for the purpose of disturbance he applied to his natural allies, the gentlemen connected with Dublin Castle, to furnish him with police protection. I presume that by direction of the Chief Secretary he was protected by four constables, who endeavoured to break up the meeting, as was the case at Mitchelstown, by forcing the men into our midst. As the gentleman created a disturbance he was removed from the meeting. The speech from which the hon. and gallant Gentleman has quoted was one in which I twitted the hon. Member for Cork with the fact that while the administration of the Chief Secretary has been in full blast for five years, while evictions and murders, and all kinds of police outrages, have taken place under that Administration, the Member for Cork had not a single word of criticism of the policy of the right hon. Gentleman, but has reserved himself wholly and solely for the right hon. Gentleman the Member for Mid Lothian. I stated that, as far as I am concerned, I maintain the original policy of the Land League, namely, that any man who takes a farm from which another tenant was unjustly evicted ought to be treated like a leper, and I always will treat him so; because the first principle of our movement is that, if there is a landlord rack-renting his tenants, and those tenants are put out of their holdings either by their landlord or by the force of circumstances, any men who take their places, who seize their property—property which the law recognises, and which the Attorney General for Ireland declares to be property equal to that of the landlord—are coveting their neighbours' goods, and are thieves and robbers, and ought to be treated accordingly. That is a position which, neither in this House nor out of it, will I ever recede from. Let me point out to the hon. and gallant Gentleman and to his supporters on the Front Government Bench that they are in this dubious position. According to the hon. and gallant Member the Home Rule

hat has broken down, and according to the hon. Member for South Tyrone the doles which have been paid to the evicted tenants have been stopped, while the much larger sums which have been paid to Members of Parliament are still being paid. Let us assume the truth of that statement. The Government's declarations are that the Tipperary tenants and the tenants on the Clanricarde, the Olphert, and other estates in the country, have left their homes under intimidation and coercion; that they are the dupes of the Irish Parliamentary Party. Having been driven out by coercion and intimidation, do the British Government and the landlords of Ireland say to them, "Fellow citizens, you have been betrayed by the Land League; you have been betrayed by Parnell, and Dillon, and O'Brien; we will come to your succour?" That is not the position assumed by the Member for South Tyrone or the hon. and gallant Gentleman. No; we are told that these men had no free will, because they went out under intimidation and coercion. Although they are unwilling victims, you are prepared to leave them in the mud. ["Oh, oh!"] Well, which is it? Which horse are you going to win on? Either they are our victims, or they are not. If they were our victims, surely now, when the evil genius has been cut down, when those who have exercised these coercive influences are beggared and bankrupt, is the time for the Tory gentlemen to reap their harvest. Why do not the Member for North Armagh and his Friend the Member for South Hunts, and the row of Orange lilies I see opposite, transplant themselves? Why do they not go amongst the victims and say, "You have been betrayed by false friends, but we of the Primrose League and the Orange Lodges will use our influence with Her Majesty's Government and get you restored to your holdings, or, if we cannot do that, we will see there is a fair arbitration upon your claims?" I should have thought Ireland's difficulty was England's opportunity. I should have thought that the difficulty of the Irish Parliamentary Party, if they are in a difficulty—and I have not experienced it myself. [*Laughter.*] Well, there is one thing our friends opposite may rely upon, and that is that, however much we may differ amongst ourselves, we shall always be solid against the common enemy. You will find the two sections of the Party are like the two blades of a pair of scissors, which yet may take off some of your heads. If your statements be true, I should have imagined that the Motion of the right hon. Gentleman the Member for Bradford gave you the opportunity you desire. I ask Her Majesty's Government if, in the words of the hon. Member for South Tyrone, the doles have been cut off, and the tenants are fever-stricken, and ague-stricken, and typhoid-stricken, and are living in water-logged houses—though I really think they are living in much better houses than they have had before—if these tenants are so hopeless, are you not driving them to despair? I can well imagine the Member for South Hunts and his friends not being by any means anxious to say to the Tipperary tenants, "We shall never allow you back to your homes," or to say to Lord Clanricarde's tenants, "Never again"—as Lord Wolseley said to the Boers—"while grass grows and water runs shall you return to your inheritance." I challenge you to say it. I challenge the Chief Secretary to say to these tenants, "Never so long as the British flag floats over Dublin Castle, shall you or your descendants return to the holdings." If the evicted tenants have no hope from the British Government or the Irish race abroad, what will be the natural consequence? As yet, the Plan of Campaign has been absolutely crimeless in its operation; but the prospect for Her Majesty's Government will not be very pleasant if there are to be bands of homeless and desperate men encamped besides those thriving tenants who have grabbed their farms. You tell us that Lord Massereene has imported prosperous tenants from Fermanagh, Derry, and Tyrone, and that Mr. Brooke has imported them from Wicklow. If the Government instil the belief into the minds of the people that there is no hope as long as grass grows of their returning to their homes, I congratulate the Government on the prospects of peace. What has kept the peace of Ireland has been the policy of the Member for Mid Lothian. That right hon. Gentleman has bound over the Irish people to the peace, and they have kept it, because their hope has been that by some means an issue will be found whereby, doing justice both to the landlord and the tenant, the difficulty can be put an end to. The hon. Member for South Tyrone has said that arbitration has broken down hopelessly wherever it has been tried. [Mr. T. W. RUSSELL: I said on campaign estates.] Even I and the hon. Member for the St. Stephen's Green Division of Dublin were asked by the Drapers' Company to arbitrate between them and their tenants, and not one landlord has put his finger on our award and said, "You have swindled the landlord." Has that arbitration broken down? The award has been loyally accepted by the tenants, and, to their credit, by the great Drapers' Company of the City of London. I should imagine that if statesmanship and common sense were equivalent terms it would be to the interest of the Government, now that they are passing a Purchase Bill, and declaring that they adopt a policy of purchase in order to deal with the most dangerous symptoms of Irish agrarian life, to take the most ulcerated portion of Ireland for the most speedy treatment. When a surgeon has to deal with a case of cancer, does he first operate upon some healthy part of the body? That is the policy of the Government. The hon. Member for North Armagh said that we are to assume that Lord Clanricarde is a good landlord. [Colonel SAUNDERSON: I did not say anything of the kind.] Well, is he or is he not? I should like to have it on the testimony of the hon. and gallant Gentleman. He said that Lord Clanricarde would not make any reduction, and added that there are many unreduced properties lowly rented. I suppose we are to infer that Lord Clanricarde's estate is lowly rented. In other words, if a landlord has been lodging in the Albany, and for 20 years neglecting every duty that attaches to landlordism, you must assume that he is a good landlord, and that his rents are fair rents. I will assume the reverse. I will assume that a landlord, for whom the hon. Member for South Tyrone (Mr. T. W. Russell) cannot say a good word, must be a bad landlord. When the hon. Member for South Tyrone was a week on his estate, and yet cannot say a good word for him, am I to be blamed for the assumption that he must be a bad landlord? I am surprised that we never have the President of the Board of Trade present when we are talking about Lord Clanricarde. When Lord Clanricarde's name is mentioned in the right hon. Gentleman's presence it exorcises him. "Get thee behind me, Satan," was not more effective. We all remember the correspondence—not published by the right hon. Gentleman or by Lord Clanricarde, but which came out in the course of an action for libel brought by the landlord's agent, Mr. Joyce—in which the right hon. Gentleman declared that he would put pressure on Lord Clanricarde and his kin, but pressure always within the law. The right hon. Gentleman himself was the judge of the law. Those who are not in the position of Chief Secretary are not to use any pressure whatever, and are not to make themselves judges of the law. If it is found that a landlord like Lord Clanricarde neglects his duty for years, surely the State has some right of interference on behalf of the unhappy tenantry, and the more so that they are left in the hands of an agent, who is a bankrupt, a disgraced and abandoned man—[Colonel SAUNDERSON: "Absolutely untrue"]—a man who, in his own district, from his own butcher, cannot get credit for a pound of chops.

MR. MACARTNEY (Antrim, S.): Will the hon. Member repeat that outside the House?

MR. T. M. HEALY: I will, to be sure, on one understanding—[*Ministerial cries of* "Oh!"] Listen to it: That you will not lay the venue in Belfast. Give me a mixed tribunal; that is all I ask. Even two Removables I will take. You lend a man like Tener all the forces of the law to harry and attack those unhappy tenants who, during the bad years of 1885 and 1886, were unable to pay their rents. Remember that the Bishop of the district (Dr. Healy) has always been a great friend and loyal supporter of Her Majesty's Government. I do not blame him for that. I understand that he has seen the Chief Secretary several times. That is not contradicted. He has remonstrated with the right hon. Gentleman, who, I am quite sure, wishes Lord Clanricarde at Jericho. [Mr. T. W. RUSSELL: Hear, hear!] The hon. Member for South Tyrone wishes him there also. All I ask is this: When you find a landlord for whom no man in his senses, or out of his senses, can be got to say a good word, are you content to leave ten square miles of one of the habitable portions of Her Majesty's dominions at the mercy of a tiger of that description? If you were to let loose in this district a man-eating tiger, or a dozen of them, it would not be a greater misfortune to the people than to give Lord Clanricarde the uncontrolled use of the soldiers and police of the Government. The legislation of 1887 was too late for these unfortunate tenants, who had then incurred the disabilities which ensured their eviction. The right hon. Gentleman the Member for Bradford simply asks that, as regards men in this position who have been ill-treated, the Imperial Government shall, at any rate, step in and give them something like fair-play. If these things were going on in Turkey; if this place were Erzeroum, where you sent Mr. Clifford Lloyd, tears that would turn a mill would be rolling from the eyes of the hon. Member for South Armagh. As it is only Galway, as these men are only his own fellow-countrymen, Lord Clanricarde is to be allowed to do as he pleases. Take the case of Mr. Olphert. The Government are not content to give arms, soldiers, and police to these landlords. Poor Mr. Olphert is an old gentleman, and his property is almost entirely managed by Mr. Robert Olphert, who has been engaged as Crown Prosecutor in some cases at the Winter Assizes in order to put 100 or 200 guineas into his pocket, although he has never had any experience in the work he has to do. I never found fault with the Chief Secretary for going to Ireland. I was delighted that he went, and delighted that he got a good reception. And for this reason: I think it has done him a power of good. The more he sees of Ireland, the more he will come to see that there is a real Irish question, that there is ground for the earnestness with which we plead for some relief for these unhappy tenants. The more the right hon. Gentleman is brought into touch with the actual distress and miseries of the Irish people the more I shall be pleased, and I cannot think of any better performance for Her Majesty's Government than that they should spend a recess doing that which the Chief Secretary did, studying Irish problems on the spot. The right hon. Gentleman, however, drove into Gweedore at 10 o'clock on a winter's night, when he could not see the bogs, and left before daybreak in the morning. It is rather an ungenerous thing to pretend that he could gauge the true position of affairs by taking change of air in an hotel for the night. Did the Chief Secretary see the priest or the tenants? No, he only saw Mr. Olphert and a Police Inspector, and the sole result was that Mr. Robert Olphert was instructed by the Crown to prosecute in several cases at the Winter Assizes, the landlords of the North of Ireland and of Ireland generally having thereby an indication that the action of Mr. Olphert had the approval of the Her Majesty's Ministers. But I do not think there is any need on the present occasion for recrimination between ourselves and the Government. I did expect that the hon. Member for Cork (Mr. Parnell) would have enabled us, through the great influence he now possesses with Her Majesty's Ministers, to hear of some scheme, whether by means of a secret understanding or otherwise — some scheme put forward by him or by, as his mouthpiece, one of Her Majesty's Ministers. [*Interruption.*]

MR. J. O'CONNOR (Tipperary, S.): Have some decency.

*MR. SPEAKER: Order, order!

MR. T. M. HEALY: Some scheme with regard to the evicted tenants, who, we are informed, are the hon. Member's special care. It is the fact that tens of thousands of pounds were being collected in America in the interest of those tenants until the misfortune occurred to the Irish Parliamentary Party. As far as the hon. Member for Cork is concerned, he has declared his acceptance of the Bill of the Government on land purchase. That being so, I cannot conceive anything more simple than for the Government to declare that they are willing to accept the principle of compulsory purchase laid down by the hon. Member for Cork in one of his recent speeches. Such a proposal would meet with no opposition from any quarter. Lord Clanricarde, we are told, only wants cash. Why does not the Government give it him? The hon. Member for South Hunts (Mr. Smith-Barry) only wants cash. Why should not the Government let him have it? Lord Lansdowne only wants cash, either in Consols or in some other form. Why should not the Government let him have it? Because these tenants are evicted tenants, are they to be deprived of any benefit under the scheme of Her Majesty's Government? I imagine that from the point of view of the Tory Government landlords who have suffered —such as the hon. Member for South Hunts, Mr. Ponsonby, and Lord Clanricarde—are more objects of public charity than landlords who have not suffered— such as the Duke of Abercorn and Lord Waterford, who have pocketed hundreds of thousands of pounds from their Irish estates. Really I see no objection in principle or in detail to an arrangement between the hon. Member for Cork and Her Majesty's Ministers with regard to providing for these tenants. So far from criticising such an arrangement I should rejoice at it; and I think if the tenants believed that the differences of the Irish Party had led to an understanding between the hon. Member for Cork and Her Majesty's Government, they would conclude that it was an ill wind that blew nobody good. Accordingly, this is a case on which the Government can legislate with the consent of all Parties. The Tory Party will not object to the Member for South Hunts or Lord Clanricarde, or any other of these ill-treated and much-abused landlords, receiving a sum in payment for their estates. I do not suppose the hon. Member for North Armagh will object. We will not object; the followers of the hon. Member for Cork will not object; and I cannot imagine that those on the Front Opposition Bench who have brought forward the Motion will object. Nothing is wanting to complete the remedy, except the willingness to apply it. Surely as it is your position that the landlords are the unwilling victims of a conspiracy, you will be the very first, when the conspirators have fallen out among themselves, to step in and show that "Codlin's your friend—not Short." I therefore, in all seriousness, would assure Her Majesty's Ministers that I do not think this is a case for controversy, violence, or bitterness. The amount required to settle the matter is not large, and sooner or later it will have to be settled—by the present

Government or by their successors. The Tories cannot expect to be always in Office—especially after Hartlepool. The clock will some time or other strike 12, and when it does perhaps you will be sorry that it is not you who have had the giving of compensation to the Member for South Hunts, Lord Clanricarde, and gentlemen of that class. I say that the Tory Party above all others, in view of their declarations, can treat this subject with freedom and success. Nobody believes there are any genuine tenants on these estates. What is conclusive on that point is the fact that the Land Purchase Commissioners, when applied to by Lord Lansdowne with regard to the Brook Estate to advance money to these so-called " planters," refused to sanction any advance on the ground that they were only bogus tenants. What, then, becomes of the declaration of the hon. Member for South Tyrone? If the case of the evicted tenants receives from the Government some amount of consideration we shall all be delighted, and I would earnestly trust that Her Majesty's Government, whether influenced by sympathy for the tenants or by the hope of quieting down affairs, or by consideration for their friends, will see that their interests, as well as the interests of Ireland, lie in providing a settlement of these difficulties.

*(7.11.) THE ATTORNEY GENERAL FOR IRELAND (Mr. MADDEN, Dublin University): I do not intend to follow the hon. and learned Gentleman through a great many of the topics he has introduced into his speech. I shall not follow him into the interesting discussion he suggested to the Committee as to who was the gentleman who was under police protection on a particular occasion. I shall leave that question to be settled among themselves by gentlemen below the Gangway, as I shall also leave the question suggested by the speech of the hon. and learned Gentleman as to the comparative merits of his policy and that of the hon. Member for Cork. But there are some points in the speech of the hon. and learned Gentleman which I wish to notice. This I would say: I do not think that those unfortunate tenants who now find themselves in imminent danger of starvation on the roadside, when they read the speech of the hon. and learned Member, will be able to derive any very lively satisfaction from it. What comfort has the hon. and learned Gentleman to offer to these unfortunate dupes of the criminal conspiracy known as the Plan of Campaign? The hon. and learned Gentleman, with his knowledge of Parliamentary affairs, cannot be serious in suggesting a vote of public money for the relief of the evicted tenants. That is all very well as a topic in this House to draw cheers from below the Gangway opposite, but the hon. and learned Gentleman knows as well as I do that it is mere delusive mockery to hold out any expectation to these unfortunate dupes that any Government will ask Parliament for money for their relief. The hon. and learned Gentleman referred to the visit of my right hon. Friend the Chief Secretary to the West of Ireland, and said it has had at least the result of showing my right hon. Friend that there is an Irish question. Now, Sir, before that visit had taken place, and before the failure of the potato crop, my right hon. Friend had given evidence of his appreciation of the existence of the specific Irish question which assumes an acute form in the West of Ireland — such proof as I venture to say no Chief Secretary before has ever given. If the hon. and learned Gentleman has forgotten, the House and the country will not forget that, in a Bill introduced by the right hon. Gentleman early last year, there was a system of provision for the congested districts in the West of Ireland which has been admitted on both sides of the House to be an effort to grapple with a question such as has never been attempted before by any Minister. That scheme was conceived and developed by the right hon. Gentleman as a portion of the programme of the Government before his visit to the West of Ireland, and before any appearance of the partial failure of the potato crop, which was the immediate occasion of that visit. This remark, therefore, of the hon. and learned Gentleman is without foundation. But does the hon. and learned Gentleman really think that these rent disputes—whether you regard them as *bonâ fide* disputes or as steps in the campaign against Irish landlords as the English garrison in Ireland—have any real relation to the acute crisis which had taken place in the West of Ireland? Anyone who knows these districts knows

that this is not a question of the amount of rent; for on the smaller holdings, in a season like this, it would be impossible for the holder to live rent free. The two questions, therefore, have no reference to each other. An attempt has been made by the right hon. Gentleman who moved the Motion to show that the existence of these remaining disputes—which we all regret—is due largely to the default of the present Government. I will for a moment call attention to the position of the Plan of Campaign estates. It is a gratifying thing to those who are responsible for the administration of the law in Ireland to be able to state that there has not been a time for many years when Ireland generally has been more free from crime than at the present time, both of the ordinary character and agrarian crime. But there are certain exceptions, few in number I am happy to say; there are certain estates and districts of which that could not be said. Two important questions have been introduced by the right hon. Gentleman who has moved the Motion. In the first place, who is responsible for that state of things? and, secondly, what remedy can be suggested? I take issue with the right hon. Gentleman on both portions of his argument. The right hon. Gentleman said that the delay in passing the Bill of 1887 and the fact that legislation concerning arrears has not taken place are the causes of the Plan of Campaign. Now, on three of the estates which have been mentioned prominently in connection with the Plan of Campaign, namely, the Ponsonby, the Massereene, and the Lansdowne, there are a considerable number of leaseholders. As a matter of fact, I do not think that leaseholders are very numerous on any of the other Plan of Campaign estates, certainly not on the Olphert and Clanricarde estates; but on the three estates I have mentioned they are most numerous. The landlords of those estates offered their tenants to let them go into Court and break the leases and have the benefit of the Act. That offer had been made voluntarily, and gave the tenants the full benefit conferred by the Act of 1887. Can it, then, be said that the fact that leaseholders have not been admitted to the benefit of the Act of 1881 has been the cause of the starting of the Plan of Campaign? With regard to the question of reduction of judicial rents and arrears, it has been shown that the landlords, with possibly one or two exceptions, have in their offers dealt with the question of arrears more liberally than the tenants would have been treated if the Bill of 1886 had passed. The right hon. Gentleman the Member for Bradford has suggested compulsory arbitration. If that were adopted, there would be three subjects to be dealt with—first, a fair rent; secondly, arrears; and, thirdly, the re-instatement of the evicted tenants. With regard to fair rent, such arbitration is not required; the State has supplied the means of compulsory arbitration in that respect; the Court of the Land Commission is always open to the yearly tenants, and by the offer of the landlords has been open to the leaseholders. As to arrears, how does the matter stand? The Government and the House have always laid down the principle that they will not compulsorily deal with one class of debts without at the same time dealing with others. Then the House must remember that on all these estates there are certain tenants who have honestly and fairly paid their rents, with the reductions offered, and kept their contracts with their landlords, not joining the Plan of Campaign. It would be grossly unjust to honest tenants who have struggled through bad times if those who have joined an illegal conspiracy are to be allowed exceptional terms as regards arrears. With regard to the evicted holdings, they are either in the hands of tenants now cultivating them under contracts of tenancy, or they are being used by the landlord as best he can, generally as grazing farms. Will power be given to a tribunal to turn out these tenants, or will the landlord be compelled to take the others back to the land which he is using? With regard to the injustice of the former suggestion, I think that I need say nothing; and as to forcing the former tenants back on the landlord, I would like to read to the House some words from a document which is entitled to respect—it is a letter from Dr. O'Dwyer, the Roman Catholic Bishop of Limerick, in connection with the Glensharrold Estates. In his letter Dr. O'Dwyer used these words—

> "I beg of them (the tenants) at the last moment, before taking a step they may regret all the days of their lives, to listen to my advice. If they spend years in idleness on the side of the road, neither they nor their children will ever raise their heads again. A farmer whose home is once broken up, whose stock is scattered, and whose capital is spent, may recover his land after some years, but he will be a pauper while he lives."

That is the testimony of one who knows the Irish tenants well. But it is now proposed that the landlord, who has been the victim of this conspiracy, should have compulsorily put upon him a tenantry which, according to the Bishop of Limerick, has degenerated into paupers. Such a proceeding would be an injustice to the landlord and injurious to the interests of the community. Each case, of course, depends upon its own merits; in some, arbitration might do good; in others it would be futile; the parties must be the best judges of that, and, as I have shown, the Legislature cannot interfere with advantage to the community or justice to the landlord. It may be asked what alternative the Government suggested to the Plan of Campaign. I would suggest that there is an alternative policy which has been pursued, and which has worked wonders in Ireland—I mean the policy of a firm and temperate administration of just laws. It cannot be contended that the laws relating to occupiers of land in Ireland are less favourable than those of any other country; on the contrary, they are distinctly more favourable. That is the course I would submit to the House, and I submit that it is more wise and statesmanlike than that of making concessions to organised lawlessness—a policy which would be impossible to work out without the grossest injustice alike to landlords and to honest tenants.

(7.31.) MR. ROWNTREE (Scarborough): The right hon. and learned Gentleman who has just sat down began by stating his opinion that the speech of my hon. and learned Friend the Member for Longford (Mr. T. M. Healy) would be read with dismay by tenants on those estates. I think the right hon. and learned Gentleman's speech will as certainly have that effect. It appeared to me that he misconceived the suggestion made by the hon. and learned Member for Longford, and he repeated the misconception towards the end of his speech; for if a just and temperate administration of the law in Ireland is all that is required to settle the land war and the agitation that has arisen out of it, why are Her Majesty's Government asking us to give our time this Session to a complicated measure of land purchase? The Government recognise that new laws are required, and laws of great importance. We were told by the right hon. Gentleman the Member for Birmingham (Mr. Chamberlain) that no Government was justified in calling upon the sacred resources of British credit without having a very strong case behind them, and, therefore, there must be in the mind of the Government a very strong case to induce them to ask the House to give British credit for altering the land laws of Ireland. How can we justify to our constituents the fact that this new alteration of the land laws and this claim upon British credit will give the go-bye altogether to the districts which have suffered most? Surely the Government will give us some definite reason why their Land Purchase Bill will simply apply to those districts where there is no conflict between landlord and tenant, and will not apply to those where a state of social war, with heartburnings and bitterness, prevails. For my own part I should have preferred that other classes of cases could have been brought within the purview of the Motion before the House, and that the whole question of arrears, which is at the bottom of all the difficulties on the Plan of Campaign estates, as well as on other estates, where the pinch of want is terribly felt this winter, could have been raised. However, I welcome, on its merits, the proposition that has been brought forward. The hon. Member for Tyrone was much concerned about the setttement of the land question in the interest of the landlord, but unfortunately said nothing at all about justice being done to the tenant. I believe I have spent much more time on the Clanricarde estate than the Member for Tryone. I desire most strongly to avoid any taunt as to the past, but I would make an appeal to Her Majesty's Ministers on behalf of the thousands of people living on that estate. No one has ventured to say a single word on behalf of the owner of that estate. We have had his conduct denounced in the strongest manner by the Member for Tyrone (Mr. T. W. Russell). I would ask the Government whether this House is expected really to give its attention to a Land Bill for Ireland, and to pass by altogether the condition of things in this district. It has been said again and again that we are not to trouble ourselves with these things because Members below the Gangway and others have really brought about these troubles by the Plan of Campaign. But I am sure that those who are acquained with the question will say that the combination on the Clanricarde estate took place, not only before the Plan of Campaign was instituted, but against the deliberately expressed wishes of the National League. It was a spontaneous movement on the part of the tenants. Some very strong observations have been made with regard to the condition of those who, it has been alleged, have been compelled or induced to form these combinations, and great compassion has been, very rightly no doubt in many cases, expressed on their behalf. I think we should be under a misconception if the idea went forth to the country that all those who have left their homes and have found shelter in the huts of the National League, are to be commiserated with on the change that has taken place in their condition. Throughout my life I believe I shall recollect meeting with the widow of one of the tenants of the Clanricarde estate—a poor woman of the name of Solon. Her husband had been a tenant at a rental of some £7 10s. For three years he had been unable to work, and was dying of consumption. A little child, six years of age, died of fever, and the husband died a few days afterwards. Six days after the death of the husband, the widow Solon had gone to buy bread in the neighbouring town. On coming back she found the cabin surrounded by the forces of the Crown. The women said they had come too late —he whom they had come to put out had gone before; he was dead. The woman and her five children were put out on the roadside, the woman not even being allowed to stay behind in the yard to wash some linen. The hut was destroyed. I thought I had never seen such a picture of absolute despair as this woman presented as she gave me an account of these proceedings. It seemed as if there was nothing left in life that she cared about—all the brightness seemed to have gone out of her life. But last Autumn I happened to see this woman again in one of the League huts at Woodford. There was no mistaking her; but she looked infinitely better, and she and her children were distinctly in far better circumstances. It is not, therefore, the fact that all these poor people are suffering in the way we have been told, although many of them have made great sacrifices indeed. Without going further into these particulars I do ask Her Majesty's Government whether we are to look forward to these poor people being left as time goes on simply to despair and desperation? You cannot exaggerate the condition of things in that district. Put aside the statements of the hon. Member for South Tyrone, and of those who were present at these scenes on behalf of the landlord, and of those who heard the case for the police. Put these aside, and I would ask hon. Gentlemen who are interested in this question to read the Report of the Commissioners who visited this district lately in connection with the inquiry as to tolls and market rates, and see what landlordism can sink to under such a condition of things as prevails in that district. It seems to me a positive disgrace to the laws of England that such a state of matters should exist over such a wide district in Ireland. We have a right to ask Her Majesty's Government, when we hear from almost every platform from which their supporters speak so many declarations as to their remedial measures bringing about a settlement of the land difficulties in Ireland, how they can justify the conditions of these districts.

(7.53.) MR. SHEEHY (Galway, S.): I was quite surprised that the right hon. and learned Gentleman who spoke from the Front Bench opposite and who came here armed with such a load of documents should have so suddenly collapsed in his vindication of the conduct of Her Majesty's Government. But I was more surprised still when I found him commiting the extraordinary error that he did commit, in stating to this House what many hon. Members know not to be correct, namely, that it was not because of the action of the present Government that the Plan of Campaign was started in Ireland. As one thing follows another, as cause follows effect, so did the Plan of Campaign follow the rejection of the measure of the hon. Member for Cork in 1886. It is because the Government in 1886 refused any relief whatever to the tenants of Ireland, and refused to give the leaseholders any opportunity of going into the Land Court, and refused to revised judicial rents, and refused to touch at all the question of arrears, that the Plan of Campaign had of necessity to be started. The right hon. and learned Gentleman went on to state that the Marquess of Clanricarde had made a fair and reasonable offer to his tenants before the Plan of Campaign was started. The Marquess of Clanricarde made no offer at all to his tenants before the Plan of Campaign was started. On the contrary, he refused to allow the tenants who had leases, to break those leases so that they might go into the Court. He refused to allow judicial leases to be revised, and refused to abate one penny of the arrears. But when the noble Lord found that his tenants were serious, he came out with an offer to reduce non-judicial rents 25 per cent., and judicial rents 15 per cent., but even that was after evicting a great number of tenants, and after the Plan of Campaign had been started and the Government had refused to give relief to the tenants. The right hon and learned Gentleman says that the Government are not to blame for the condition of affairs which exist on the Plan of Campaign estates; but I very deliberately that they are, because the Plan of Campaign has been only been put in force against the worst landlords. The hon. and gallant Gentleman the Member for North Armagh does not happen to be one of the landlords who have come under the Plan of Campaign. But why? I say it to his credit, that it is because he is a fairly good landlord, and there has been no occasion to put it in force against him. But there are bad landlords who have insisted on their pound of flesh, and who have forced upon their tenants a condition of affairs which it has been necessary for them to dispute. As has been pointed out, the tenants on the Clanricarde estate started the combination in spite of the efforts of the National League and of the Irish Parliamentary Party, because they were obliged to do so, no redress being forthcoming. They had old leases which at one time were necessary to shelter the tenants from the rapacity of the landlord, and to prevent his running up the rents from year to year, pound by pound, until it became impossible to pay any longer. How does the Government take the proposal of the right hon. Gentleman the Member for Bradford? Is it an honest proposal? We have been charged over and over again with being the advocates of dishonesty, but now we bring the accusation to the test. If the tenants are dishonest, as is said, and the landlords are honest, as is claimed for them by their advocates, how is it that the tenants propose, and the landlords object to arbitration? From the first day of the Plan of Campaign until now there has never been an hour in which the tenants on the Plan of Campaign estates were not willing and anxious to submit their case to honest arbitration, but the landlords would not agree to it, believing that arbitrators would decide against them. The hon. Member for South Tyrone spoke here to-night, though not for the first time, of the Vandeleur case. I remember his once speaking of the happy condition of the tenants on the Vandeleur estate. Those tenants were "petted," and "had no wrongs to redress," and were "the dupes of the Irish Members,"—that is to say Mr. Dillon, Mr. O'Brien, and the rest. Well, the landlord was obliged after a time to look to his own interest, and thinking he had gone far enough on a fool's path, he determined to try and make a settlement with his tenants. He submitted the case to arbitration. This was the case in which the hon. Member for South Tyrone said the landlord was a just man, and the tenants were a pack of robbers—were dressed so comfortably and looked so well off that it would have been dishonest on their part to refuse to pay the landlord. What was the result of the arbitration? Why, that the tenants got better terms than they demanded in the first instance from their landlord. Then the hon. Gentleman brings forward his knowledge of the Glensharrold estate—and what astonishes me is the boldness with which some advocates introduce delicate subjects. If there is an estate in

Ireland, to contemplate the condition of the tenants of which would make one's blood run cold, it is the Glensharrold and Falcarragh estate. The hon. Gentleman stated that the tenants were asked to submit their case to arbitration, but that is not the case. They have offered to do so. Even the Bishop of Limerick, whom the right hon. and learned Gentleman quotes here to-night, who sent out not a friendly valuer, but a hostile valuer to the Glensharrold estate, discovered on the valuation made by Mr. Barry that the demand of the tenants was honest, just, and upright. It is said it would be hard on the poor landlords to have pauper tenants forced back upon them; but who has made them paupers? I say it is the hon. Gentleman the Member for South Hunts and others, who have joined in a combination to make it impossible for these and other tenants to make an honest living in Ireland. These tenants on the Glensharrold estate had their rents raised four times within a quarter of a century, until they could not by any possible means earn the rents. It was only by their industry as turf cutters and sellers that they were enabled to pay the enormous rents that were charged them. These tenants were made paupers not by their own idleness, not by their own want of thrift, but through the rapacity of the landlord under whom they had the misfortune to live. They were willing from the first hour to submit their case to arbitration. The tenants on the Clanricarde estate have also been willing from the first day to now to submit their case to arbitration, and the same thing can be said of the tenants on the Ponsonby estate. On the last-named estate the landlord was also prepared to refer the case to arbitration, but a third party stepped in—a gentleman whose object was to keep up a fictitious value of the land in Ireland for the benefit of his class. Where, then, was the dishonesty in these cases? I say it was on the part of the landlords and their advocates. We, on the other hand, feel that we have not only been honest, but generous, and we maintain that we have been justified in our defence of the tenantry. In regard to the letter of Dr. Healy to the *Times*, I would point out that four years ago Lord Clanricarde offered to give reductions of 20 and 15 per cent., but not until the Plan of Campaign was started. Up to within the past three months he would have let the farms to new tenants, if any new tenants would have accepted them; but a change has come over him. The hon. and gallant Gentleman the Member for North Armagh thinks that this is a happy hour for the landlords, that the Plan of Campaign has been a failure, and that there are no longer any funds to support the tenants. Well, the Committee should know that the terms on which the tenants can be restored are the payment of three years' rent, the payment of all costs, and payment for the time during which the tenants had been out of possession. The landlords' honesty is this: that they would require their tenants to pay rent for the land, even when the tenants had not the land. A lovely code of morality this! The dishonesty of it is that the tenants having been plundered for years, and years, and years, and having revolted against the extortions made by Lord Clanricarde's agents, and having been sustained by the rest of the Irish race at home and abroad, the landlords found they had come to a serious pass in the condition of their estates in Ireland, and although most of them bent to the storm, a few of them more turbulent and fearless than the rest, refused to accede to the demands of the people, and these were supported by the other landlords, who sheltered themselves behind the mask of the hon. Member for Huntingdon (Mr. Smith-Barry). But I venture to say that the tenants of those landlords, notwithstanding the hope expressed by the hon. and gallant Member for North Armagh (Colonel Saunderson) although they may appear to him and other Members as derelict and abandoned by the the Irish race, will carry on this business to the finish, and until they have succeeded in breaking in even the wild colts of landlordism in Ireland. I would ask the House, has the right hon. Gentleman the Chief Secretary succeeded up to the present time in breaking the spirit of the people of Tipperary? No doubt we have had bogus reports to that effect communicated to the press day after day, and I regret to say grabbed at, leaped at, and licked up, even by portions of that press which ought not to be found on the side of the Irish landlords. But I ask has the hon.

Member for Hunts got back much of his rent? Has he got back any of his tenants? We have been charged with the offences of the tenants of Tipperary, and it is said that it was a dishonest move on their part. I say that a more honourable and praiseworthy act was never done by a body of tenants than that which was done by the tenants of Tipperary. They did not refuse to pay the rent, or at any rate a reasonable rent, but they refused to be his tenants at any price, even at a farthing an acre per year. Had his agents offered to let them remain on their farms for the next four years, provided they promised to pay that rent, they would not have continued their occupancy. In fact it was not a matter of refusal of rent on their part, it was a matter of revolt against his conduct in taking the lead, as he did, against the people of Ireland with whom he had had no personal quarrel. The landlords' honesty comes to this, that when the landlords get their chance, they may conspire, confederate, and agree, and the Government will not bring any member of them before the Court of Removables for illegal conspiracy. No, Sir; that weapon is one which is only intended for those who stand by the weak against the strong, and by the poor against the wealthy. That is a weapon which is only used by a Tory Government against the Irish Nationalists, and it is not a weapon which the Chief Secretary would dream of applying to such persons as the hon. and gallant Member for North Armagh or the hon. Member for Belfast (Mr. Johnston). Those are to be allowed to conspire. Those may have their landlords combinations and confederacies, and may work their mischief against any number of tenants, and thousands upon thousands of the poor peasants of Ireland. Those may conspire for the wrong, and ruin, and degradation, and impoverishment of the people, but there is no punishment for them. No, the punishment of the law is for the poor Nationalist, who dares to vindicate the right of the tenant to any possible modicum of justice. I venture to say that, notwithstanding what this Motion proposes to night, it will meet with the fate of all the Motions which have hitherto been brought forward in the interests of peace, order, and tranquillity in Ireland from the opposide side of the House. I venture to say that the landlords of Ireland whose advocates are so very zealous in this House, will yet regret that the Motion of the right hon. Gentleman the Member for Bradford (Mr. Shaw Lefevre), has not been accepted in the spirit in which it is moved. I know, however, it is impossible to break the spirit of the Irish tenants. I know that the airy nonsense which has been uttered and repeated in this House in speeches made over and over again, will have no effect upon the spirit which animates the evicted tenants of my country. I would that a better spirit prevailed in the breasts of Members of this House, and that for the sake of that peace and harmony, aye, and of that humanity which they sometimes profess to have so much, the Motion of the right hon. Gentleman would be accepted, so that in future those questions which have arisen between certain Irish landlords and their tenants who have revolted against them, would be submitted to arbitration impartially and honourably with the result that peace, happiness, and content might be brought to many parts of Ireland. (8.10.)

*(8.40.) **Mr. ROCHE** (Galway, E.): I must say that the account which has been given to-night of the condition of the tenants on the Clanricarde estate is not accurate.

Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

***Mr. ROCHE**: We have been told that sickness and fever are rife among these tenants, and that the funds have been stopped. I tell the House that there is not a particle of truth in those assertions. I challenge the hon. Member for South Tyrone, who said he had been on the Woodford estate to give the name of a single tenant whom he visited. I know every person he saw. First he called on the District Inspector, then the local Magistrate, and finally the evicting landlord. From these sources alone did the hon. Member derive his information. I confess I have taken a very active part in connection with the struggle on the Clanricarde estate, and the action which I have taken will be the proudest boast of my life: I would repeat it to-morrow under similar circumstances. The hon. Member has stated to the House that the tenants were compelled against their will to take the action they did; that many only acted under threats of personal violence, and that they were, in fact, terrorised into it. But I reply that not a single step was ever taken which was not first discussed at a general meeting of the tenants, and what was done had their full sanction. We are told that all this was the work of the combination known as the Plan of Campaign. But the Plan of Campaign was not started until October, 1886, whereas the combination on the Clanricarde estate was formed exactly a year before. Again, as was proved before the *Times*, Special Commission, this combination of the tenants had not the sanction of the National League or of the Irish Parliamentary party: indeed, it was started in opposition to the wishes of both, on behalf of the tenantry. I went to the League Offices to ask if they would be supported in the struggle against their landlord, but I was told to advise them to pay their rents, for they need expect no assistance from the League. I told the tenants what had occurred, but they could not pay their rents, so we issued an appeal for help, and within six months the Tenants' Defence Association at Woodford received subscriptions to the amount of £1,000. So the fight went on. In December, 1885, the tenants memorialised Lord Clanricarde for an abatement of 25 per cent. in their rents, but they got no reply. In August, 1886, four of the tenants on the Woodford estate were evicted, and I believe the evictions cost the present Government about £3,000. In addition to that, 68 of the tenants were arrested and thrown into prison, and got from 12 to 18 months' confinement for defending their own houses. Not until all this had occurred, and until the right hon. Gentleman the Member for Central Bradford had visited the scene of the evictions did the landlord make any offer to the tenants. Then he declined to recognise the combination, and he would not reinstate any of the evicted tenants unless they went to the agent individually and pleaded for mercy. They refused such terms, and now at least one-third of the entire population of Woodford has been evicted, and these people are living in huts erected by their organisation. Some 22 or 23 families are in huts on the parochial plot, and Lord Clanricarde is applying to a Superior Court for an injunction in order to get them evicted again. I ask the Government, in the interests of peace and of justice, to step in and prevent this fight continuing, for, although not one serious crime has been committed in the Woodford district, yet if Lord Clanricarde persists in his vengeance against the people, they will resist, and will not allow this man, or anybody on his behalf, to continue to pursue them with such harshness and injustice. It is the duty of the Government to prevent anything in the shape of breaches of the peace or of crime in the district, and if they will only adopt the course suggested by the right hon. Gentleman the Member for Central Bradford they can do this. The tenants have always been anxious to settle this matter on just and amicable lines. At first they offered to purchase their holdings on fair and equitable terms. I made an offer to that effect to the landlord's agent, and the reply we got was that Lord Clanricarde would take 25 years' purchase for the estate. In consequence of the evictions, I purchased a small property right in the centre of the estate, and the price I gave was equal to only 12 years' purchase. Yet for the property surrounding it Lord Clanricarde wanted 25 years' purchase. If this landlord, who is, I believe, actuated with malice towards the people, will only act in accordance with the dictates of humanity and justice, all will be well. But I fear he will not do so, and, therefore, I say it is the duty of the Government to step in and interfere. In the many speeches to which I have listened to-night I have not heard a single argument against the principle of arbitration. The whole tone of the speeches of the supporters of the Government has been indicative of a desire to break down the combination without recourse to arbitration. But I assure the House, from my knowledge of the people on the Plan of Campaign estates—and I have a pretty intimate acquaintance with them—that there is far more life in the organisation to-day than there was four years ago. I say, too, that it would be equally in the interests of both landlords and tenants if arbitration were resorted to.

I recollect a case in the locality of Woodford in which the tenants demanded 30 per cent., and the landlord offered 15 per cent., reduction. The matter was to be left to arbitration. The tenants suggested as the arbitrator the landlord's own brother, and the Bishop of the Diocese, but the landlord would not agree to that, and resorted to eviction. He turned out five of his tenants just as the crops were ready for harvesting, and the struggle went on for seven months. At the end of that period the landlord granted a reduction of 25 per cent., he reinstated the evicted tenants, wiped out all law costs, paid for the crops on the land at the time of the eviction, and paid also £160 for the support of the tenants during the time they were evicted. Surely he would have done far better to have come to terms in the first instance. I tell the House that the tenants on the Clanricarde estate will never give in if by so doing they will have to desert those of their number who have been wounded in the fight. I take it to be admitted that long before there were any signs of disunion amongst our Party the Rev. Dr. Healy attempted, time after time, to bring about a settlement between Lord Clanricarde and his tenants. If Lord Clanricarde will not agree to arbitration, how on earth can the dispute be settled? I am afraid it never will be settled while the present Government is in power. The people of Ireland have not the slightest confidence that the present Government will assist them in bringing about a peaceable settlement of these disputes. The hopes of the people are all centred in the next General Election. They are prepared to make great sacrifices, and to endure great suffering, until the General Election. If then their hopes are disappointed I would not care to be responsible for the peace of the Plan of Campaign districts; for I am persuaded that if the people see that the Government will not come to their rescue and do them justice, they will not tolerate such men as Lord Clanricarde, who never visits the country, and who has never seen his Woodford property, and who persists in turning them out of their homes. The hon. Member for South Tyrone says he has spent a week investigating the case of the Clanricarde tenants. I challenge the hon. Gentleman to give the name of the tenants on the Woodford estate he consulted, because I maintain that there is not a particle of truth in any one of his statements. In one case a poor boy was taken from a sick bed, and died two days after the eviction. The father of the boy tried, time after time, to obtain an inquest, in order that the truth might be known. The head of the Government in Ireland was appealed to, but the matter was hushed up. If it is of any use I appeal to the Government, even in their own interest, to go down to Woodford and investigate the facts for themselves. I confidently assert that if the Chief Secretary were to spend three days in the Woodford district, he would be the first Member to stand up in this House and insist upon justice being done the tenants.

(9.5.) MR. FLYNN (Cork, N.): I regret that while my hon. Friend was giving a categorical and clear denial to the statements of the hon. Member for South Tyrone (Mr. T. W. Russell) with reference to the Woodford estate, the hon. Gentleman left the House. I regret that the hon. Member has left, because I propose to refer to the Ponsonby estate, in regard to which the hon. Member has been betrayed into a course of systematic misrepresentations. He has spoken about the doles of money being refused the tenants, and about the tenants' miserable and impoverished condition. The fact is, the tenants on the Ponsonby estate are comparatively better off to-day than they have been at any time during the past 10 years, but it is well that the House should not lie under any misconception as to our attitude towards the evicted tenants. We are not now suing *in formâ pauperis.* We do not come here to beg Her Majesty's Government to establish these Boards of Arbitration. We have not approached the right hon. Gentleman the Member for Bradford, who of his own motion and in consequence of his desire to being about peace, has proposed this Resolution. We are not suing for terms on behalf of these evicted tenants, because as long as there is a dollar to be had from an Irishman in any part of the world it shall go towards the relief of the tenants. There may be a temporary disagreement amongst hon. Members here, but there is one point on which we are all agreed, and that is that we shall all stand firm in defence of those who, in time of crisis and in defence of principle, have made as gallant a stand against overwhelming odds as was ever made by any body of civilians or military. Hon. Gentlemen opposite seem to forget the history of the past few years. They seem to forget that in 1886, when the hon. Member for Cork introduced his measure, the fall in prices was so rapid and crushing on the greater portion of the tenants in Ireland that it was absolutely impossible for the leaseholders to pay their ordinary rents, and even for those tenants who had had judicial rents fixed to pay their judicial rents. Hon. Members opposite produced figures to show there was no fall in prices. I well remember the right hon. Gentleman the First Commissioner of Works (Mr. Plunket) declared in this House that there could not be a serious fall in agricultural prices because the price of wool had risen. The Bill of the hon. Member for Cork was thrown out, and no attempt was made by the Government to deal with the question. It was a profanation to talk of dealing with the judicial rents that had been so sacredly and recently fixed. A short time passed, and the Government, who had denied that there was a fall in prices, appointed the Cowper Commission, and that Commission's Report we all remember. A little later on the same Government gave power to the Land Commission to reduce the judicial rents and to fix a certain schedule according to which rents could be reduced. What is the fact in regard to the Ponsonby estate? In 1885 remonstrances were addressed to Mr. Ponsonby, but all these remonstrances fell on deaf ears. The summer of 1886 was very wet, and the barley crop, which forms the bulk of the cereal produce of the district in which the Ponsonby estate is situate, was almost an utter and complete failure. I remember seeing hundreds of the tenants dragging their crops of barley to the town of Middleton. The local distillers refused to buy the barley. The tenants then took it to Cork, where they were satisfied to sell it for their food and lodging. The stuff was barely good enough to give to pigs. When the main portion of the crops was ruined, it became necessary that the tenants should get an adequate reduction of their rents. I, personally, have never regarded judicial rents as things from which there is no appeal. The tenants have not had a fair share in the fixing of the judicial rents. I am not satisfied, and I never shall be satisfied, that judicial rents are a fair measure of what agricultural rents should be in Ireland, until the appointment of Sub-Commissioners is made upon an honourable and impartial basis. The appointments made do not command confidence, and it does not finish argument or close debate to tell us that judicial rents have been fixed. When there was a fall in prices in 1886 all this edifice of judicial rent tumbled to the ground, and the Government had to find a remedy for a state of things they had before denied. I can speak from personal knowledge of the Ponsonby estate, a knowledge not derived from flying visits. I know it from top to bottom, and I knew it long before there was any disturbance upon the estate in connection with the tenants' combination. I know that some of the tenants were among the most cruelly rack-rented of the class in Ireland. I know that some of the poorest tenants paid rent on their own improvements, and that legalised spoliation had been going on upon the Ponsonby estate for generations. I have here some of the figures showing the rents that had been paid. They are furnished by Canon Keller, who has intimate knowledge of the facts, and a deep interest in the tenants, and I am willing to accept the statements of the Very Rev. Canon Keller against the statements of the hon. Member for South Tyrone, who probably does not know barley from oats, or a horse from a mare. Here are some instances of the the rents that were paid. In the case of a tenant named Doyle, the largest tenant on the estate, the valuation was £250, the rent £370; in the case of another the valuation was £163, the rent £223; in the case of a third the valuation was £61, the rent £79; in the case of a fourth the valuation was £40, the rent £58. It was against rents of this kind—rents it was not possible for them to pay, rents imposed upon the tenants' own improvements—that they combined and demanded a reduction, which by the acknowledgment of the agent, Mr. Horace Townsend, would have been granted if the tenants had gone into the Land Court. The Attorney

General for Ireland, who is in general a painstaking gentleman, mentioned three estates in Ponsonby, the Olphert, and, I think, the Luggacurran estates, and he said on the Ponsonby estate the leaseholders were offered by Mr. Ponsonby the option of going into the Land Court. I deny that utterly. The right hon. Gentleman is misinformed. No such offer was made until the tenants had been two or three years in combination, and a large number of them had been evicted. The offer was made only on the condition that they should abandon those of their number who had been evicted, but this, as honourable men, they refused to do. To their credit be it said, there, as throughout Ireland, the tenants refused to abandon their fellows who had been evicted, who had fought by their side, and who in the ultimate victory will have a share in the reward. I should have thought that in a free assembly like this such chivalrous conduct would have extorted admiration from opponents, but the unhealthy atmosphere of this political life seems to have stifled these feelings of generosity. The right hon. Gentleman has put the case most unfairly; the leaseholders were offered the right to go into Court, but not until a large number of them had been evicted. I can assure right hon. Gentlemen they will sit on that Bench a long time before they hear us withdraw one word we have uttered in defence of the Plan of Campaign. We acknowledge it was an extreme remedy, but it was extreme necessity drove the tenants to adopt it. On the Ponsonby estate, not a Member of this House, not even the hon. Member for North-East Cork, in whose constituency the land is situated, was responsible for the Plan of Campaign. It was only when the unfortunate people were driven to the wall that they adopted the Plan of Campaign, upon which they have fought the landlord ever since. We know the history of events. Negotiations for a settlement were coming to a satisfactory conclusion, until a certain Mephistopheles came upon the scene in the person of the hon. Member for Huntingdonshire, and then they were broken off. We have it on the authority of the agent and intermediary (Mr. Brouncker) that matters between landlord and tenants were approaching a settlement, that a very small sum divided them, when negotiations were closed with the appearance of the hon. Member for South Hunts. I do not know whether he appeared in defence of his order, or whether he was looking for dignity and honours from the Crown, as reward for meritorious action, but his appearance destroyed the expectation of a settlement. In connection with this estate the hon. Member for South Tyrone a while ago spoke of the cattle and sheep roving over the pasture lands; but I can call to mind some very vivid words of his in which, not long ago, he described the docks and weeds and thistles overgrowing the land. We say the responsibility lies not with the tenants who dared to stand up in defence of their rights and property, but with the landlord, who, blind to all sense of justice, and deaf to good counsel, proceeded to the enforcement of his unjust claims. There cannot be a doubt that these avenging landlords, these men who have singled themselves out by their exceptional treatment of their tenantry in Ireland, would never have persisted to the bitter extremities they have gone were it not for the demeanour, the advice and encouragement they constantly received from the Chief Secretary for Ireland. There can be no doubt that landlords such as Lord Clanricarde, Mr. Olphert, and others would not have pursued their tenants in the bitter and malignant spirit they have if they had not been aware that they had the encouragement and approval of the Government of Ireland. We claim in connection with this combination of tenants that practically there has been no crime in Ireland. We claim that for the Ponsonby estate, for the Massereene estate, the Luggacurran estate, and all over Ireland where this unfortunate necessity for a struggle has been forced upon the people. When hon. Members talk of serious responsibility, let me ask who encouraged this system of planting, of bringing men from distant parts to confiscate the property of tenants, to rob them of the fruits of their industry? I say a serious responsibility lies upon the men who encouraged this kind of thing, for a new spirit has entered into Ireland, a new spirit has been infused into the breasts of the Irish tenant; and he who once endured the cruellest wrongs ever in flicted on a body of people, no longer stands a legitimate object for the perpetration of oppression, which is as keenly felt to-day, and will be as boldly resisted by Irishmen as by any people who ever struggled against tyranny and wrong. If hundreds and thousands of these men who have made the land what it is, who have given it all the fertility it possesses, find themselves driven from their homes and debarred from all hopes, I, for one, say that if these planters from the north—that paradise of all that is loyal and good and orderly—are in the future overtaken by a swift and stern retribution, I shall not be found to raise a voice in protest. There is a serious responsibility upon those who lend themselves to an iniquitous system such as this, and I beg the Government to pause before it is too late. I beg the men who are defending a system of extermination to pause before they have created a state of things which will produce many a bitter crop of suffering, perhaps of outrage and crime. We shall support the Motion of the right hon. Gentleman the Member for Bradford. It commends itself to everyone who has any idea of justice, equity, and fair play, and who is really in favour of law and order. We recommend the Motion for this reason, and shall support it for this reason. Our duty is clear to the evicted tenant. We shall support every honest attempt for a peaceful settlement, we shall advise recourse to arbitration, and if the worst comes to the worst, it will be our duty in the future, as it has been in the past, to wait and work for the downfall of the Government and the system which has caused so much misery.

(9.30.) MR. HENNIKER HEATON (Canterbury): I desire to offer a short statement to the House in reference to the Vandeleur estate, and the statement I shall make will be one that will not give much pleasure to the representatives of the landlords in Ireland, neither will it give unbounded satisfaction to those who represent the interests of the tenants. I represent a constituency which is in no way influenced by Irish votes or Irish interests, and when I feel it my duty to make a statement as to matters with which I am acquainted, I hope the House will credit me with having no bias either way. The history of the troubles upon the Vandeleur estate may be given very shortly. For generations the Vandeleur family have held good reputation in the County of Clare. They managed their estates in a kindly, but, unquestionably, somewhat haphazard manner, and no very grave dissensions, if any, appeared between the landlord and the 450 tenants. In good times the landlord obtained the full amount of rent demanded, and in bad times he made considerable abatements. Meanwhile, these gratifying relations existing, times were changing, the country was becoming more advanced, popular ideas were more represented, and new rights or claims were put forward. Perhaps I may first direct attention to the year 1874. In that year my friend Mr. Vandeleur's father stood as candidate for the representation of Clare, and was defeated, and it is alleged by the tenants that immediately after his defeat the landlord raised his rents. It is only fair to say that on a close investigation of affairs it appears that while there is some foundation for the statement, this might be excused on many grounds, and the statement of Mr. Vandeleur was that he only raised the rents to the figures at which they stood previous to the election in which he was defeated. Whether this is true or not, all I can say of the management of the estate is that the people lived in a fairly happy manner, and it was not until the introduction of the Plan of Campaign that any real trouble arose, when questions, especially the raising of the rents in 1874, were brought forward, and these resulted in the people combining to refuse payment of rents. Writs of eviction were issued, and 1,000 police were brought on to the estate for three weeks to carry out eviction against 26 tenants. Mr. Vandeleur complains very much that he suffered a very great deal of damage in the course of these eviction proceedings; preserves were destroyed; his house injured, and tenants' houses were demolished against his wish, and the wish of the agent for the estate. I shall have a word or two to say in regard to the agent, and I am sure the House will understand I desire to give an explanation of some of the troubles. This agent, one of the firmest, most just and loyal of men, came from the North of Ireland, an Ulster Scotchman. He took the strictest views of rights and wrongs, and did not always yield to the tenants' demands for abatement. Troubles arose, relations became strained, evictions took place, and finally the whole of the tenants refused to pay a farthing of rent. After three years, efforts of various kinds were made to bring about some sort of arbitration—and it is now my duty to point out that the Government, through their agents, forced Mr. Vandeleur to come to terms in regard to arbitration—and to this end every kind of inducement, argument, and warning, was used. I think this should be known, considering the charges that have been made against Mr. Vandeleur. This correspondence shows that Mr. Vandeleur at no period agreed to arbitration until the Government agents forced him into it. On March 15, 1888, Sir Redvers Buller wrote to Mr. Vandeleur, saying he had been asked—he did not say by whom—to tell him that his tenants were anxious for a settlement, and to suggest that their offer should be accepted. Mr. Vandeleur, during 1878, also received letters to the same effect from the Resident Magistrate at Kilrush, Captain Walsh, and other Resident Magistrates, all the correspondence being to the same effect, urging Mr. Vandeleur to come to terms of arbitration. Matters drifted on, and ended in my friend Mr. Vandeleur, after a long correspondence, communicating with Sir Charles Russell, and placing matters in his hands. This came about in a very simple manner. Mr. Vandeleur determined to evict all the tenants in February, 1889, but the police said it would be impossible to carry out the evictions before June of that year, and, of course, the interval before the evictions could be carried out meant a heavy loss to Mr. Vandeleur, yet still the police said the evictions could not be carried out earlier. So Sir Charles Russell acted as arbitrator, and his award in my judgment, was not so fair as it might have been, but it was such an award as Sir Charles Russell expected would place the rent beyond doubt in good and bad seasons. By this award the Government saved at least £10,000 expenses of evictions, and Mr. Vandeleur was enabled to obtain the whole of the Campaign money deposited in the hands of the arbitrator by those in charge of it. Matters then appeared to be going on smoothly. I visited the estate, and with some trouble, owing to the strained relations existing between landlord, tenants, Resident Magistrate, and Police, was instrumental in settling some minor difficulties. At this period there occurred an event upon the estate which caused me considerable pain, and will no doubt excite a feeling of indignation in the House. The 26 tenants who had been evicted, and had been living in Land League huts, were restored to their holdings. These tenants brought back such cattle and stock as they had, borrowed more, and got a little money from the bank to work their farms. Two or three days after I left, with everything, as I thought, in fair working order, an act, as I thought, of unparallelled treachery was perpetrated. The police, upon an old bill of £150, came down and seized the whole of the tenants' cattle. I made representation at once to the Chief Secretary, and he instituted an inquiry immediately, and in the result it turned out that the Resident Magistrate was in no sense to blame, but the Sheriff, in carrying out his duty, took upon himself to seize the cattle for an old bill of costs, although Mr. Vandeleur had relinquished his claim, and did not press it. I felt very much annoyed, though it was proved the Resident Magistrate had nothing to do with it. Now, I return to the arbitration. Sir Charles Russell, in giving his award, made a condition that the damage to crops should be made the subject of local valuation by somebody appointed in Kilrush, and Mr. Considine was selected, in some manner unknown to me, to perform the duty. Mr. Considine awarded a sum equal to three years' rental for the damage done to the crops, and this award is now the subject of correspondence between the hon. and learned Member for Hackney and Mr. Vandeleur. To show the gross injustice of this award, if the damage done to the crops was worth three years' rental, then the tenants' demands were exorbitant and they were well able to pay their rents. The idea of three years' rental is outrageous, and has caused considerable irritation. And now, it may be asked, How far do the results justify the statement that arbitration is a failure, and that no further arbitration should take place? I communicated within the last few days with Mr. Stothard, the agent, to inquire to what extent the award of the hon. and learned

Member for Hackney had been obeyed, and I have a letter in reply stating that out of 213 tenants only 27 have obeyed the award.

An hon. MEMBER: That is not a true statement.

MR. HENNIKER HEATON: I have the names in each case. It is only fair to mention that the 26 evicted tenants may be added; but, in that case, the total is only 53, which I do not think shows a satisfactory result, and until I have better information I must consider the award has been a failure. It may be expected that I should say something as to the future of the estate. I am bound to say I never remember visiting a more beautiful country; soil and climate offer every encouragement for success, though railway communication is required. I think Mr. Vandeleur's ancestors are greatly to blame for not having in the past devoted more attention to the development of the estate, but if this is properly carried out in the time to come, if railways are extended, and if the people are taught to be industrious instead of idle, I believe there is a great future for the Vandeleur estate.

(9.50.) MR. J. O'CONNOR: I think we ought to be deeply grateful to the hon. Gentleman for his interesting contribution to this important Debate. The proposition is that Boards of Arbitration should be established, and the Government contend that this proposition cannot with advantage to the country be carried out; but while they carry on this pantomime of contending with us to-night against the proposition, they, behind the scenes, have been doing exactly the thing we want them to legalise. We have heard read letters from officials in Ireland—we had letters from so high an official as Sir Redvers Buller himself —all bringing "pressure within the law on a landlord in Ireland."

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): He was not then Under Secretary.

MR. J. O'CONNOR: He was not Under Secretary, but he was a friend of the Government, and he had been in office a short time before.

MR. HENNIKER HEATON: I may explain that Sir Redvers Buller dates his letter from the War Office.

MR. J. O'CONNOR: Why did Sir Redvers Buller intervene? Was it not because he was known to have had official communication with Ireland in the past, had had official intercourse with the Representatives of the Government there, that he was in such close connection with the Government that his letter might be taken as expressing the views of the Government? What does he say? That he "was pressed to make this representation." By whom? By his employers—from those from whom he held office? Undoubtedly we are justified in coming to that conclusion. Sir Redvers Buller was not the only official addressing letters to Mr. Vandeleur. Captain Walsh, the Resident Magistrate stationed at Kilrush, addressed letters of remonstrance to Mr. Vandeleur, pointing out the advisability of settling with his tenants; and when we have such an official stating to a landlord that "it is advisable," "most desirable," he should settle with his tenants, what does it mean but "pressure within the law?" We are accused of bringing forward and supporting a proposition that will, in the language of the Attorney General for Ireland, "work gross injustice." We usually meet with this declaration when we agitate for the rights of the tenant in Ireland. We were told it would be a gross injustice to pass the Land Bill in 1881. We are told by the Attorney General for Ireland that this proposition is not necessary for the reduction of rents, because there is the Land Court for the purpose. This Court was thought satisfactory in 1881, and yet an Arrears Bill had to be passed in 1883, and again in 1887 the Land Act had to be amended in order to afford the Commissioners an opportunity of still further reducing rents, and every effort that is made in this House and out of it to bring justice home to the tenants of Ireland is characterised as grossly unjust. The Attorney General for Ireland says the alternative is a firm and temperate administration of the law, a firm and temperate administration where tenants alone are concerned, but he will not adopt our proposal because pressure would be brought upon the landlords to come to settlement, and the hon. Member who first opposed this Resolution states that legislation is unnecessary. But the hon. Member (Mr. T. W. Russell) was not always of that opinion, because if I remember rightly he not long ago wrote a strong letter to the *Times*, and spoke in this House as to the necessity for legislation in order to deal with such cases as the Vandeleur estates and others. The hon. Member said to-night, in opposing this Motion, that arbitration had been applied to the Vandeleur estate and had failed. But why? Last year a similar statement was made in the House, and we made inquiries, the result of which was that we found that in only a few cases had the award not been acted upon. If it is not acted upon to-day we have the reason stated by the hon. Member for Canterbury, who says it is because of the imperfection of the award, the incompleteness of the award, and is not to be attributed to the dishonesty of the tenants. But no such failure could take place if we had a legalised Court of Arbitration. The hon. Member for South Tyrone says that this House ought not to come to the rescue or relief of those who have entered the Plan of Campaign upon these estates. That is the cry in this House and outside, "You must not yield to the Plan of Campaign," but it is time that cry was stilled. Take the case of the Ponsonby estate. An attempt was made at arbitration there to settle the difficulties. An attempt was made by a philanthropic gentleman from the South of Ireland, well known to the right hon. Gentlemen on the Government Bench, well known to the hon. Member for South Hunts, to buy this estate. Sir John Arnott, the proprietor of the *Irish Times*, a supporter of the present Government, was prepared to advance a large sum of money, as much as £10,000, with which he was prepared to bridge over the difficulty about price. A correspondence of a lengthy character was entered into between the agent of the estate and Sir John Arnott. Sir John Arnott states in his letter that he was willing to lose £10,000 in order to bridge over the difficulty and difference. That letter I have read not only in print, but in manuscript. But the syndicate of landlords, represented in this House by the hon. Member for South Hunts, put on the estate a prohibitive price. No landlord in Ireland will be satisfied with anything short of beating the tenants to their knees, and I maintain it is the duty of the House of Commons to come to the assistance of the tenants who are being so ruthlessly dealt with. I must characterise the conduct of the syndicate of landlords represented here by the hon. Member for South Hunts as cruel and wrong in the extreme; but it is not a bit worse than the conduct of those who manage and are responsible for Lord Clanricarde's estate. I have no doubt a sincere and honest attempt has been made recently by the Bishop of the diocese to settle that estate, and to-day's *Times* contains a letter which has been frequently referred to in general terms in the course of this discussion. I beg the House to pardon me while I read a few extracts from that letter. The Bishop asked the agent a number of questions, but I will only ask the House to listen to the answers given by Mr. Tener. The agent replied—

> "Any tenant who would be restored will be liable for all costs and arrears, even for those which accrued while not in possession of the farm.
>
> In case of restoration of evicted tenants I would at once require payment of three years' rent and costs."

That makes it impossible for the evicted tenants to be restored to their houses, and the other tenants—and it is to their credit—will not go back unless their brother tenants are restored. Again Mr. Tener says—

> "I would still give no written guarantee that the balance would not be demanded at any time."

That is to say, that while the balance of the arrears or the balance of the rent that may be due would not be demanded now, it would hang like a millstone round the necks of the tenants who have been settled with, and this millstone would deprive them of all energy in the future to develop their farms; it would take the heart out of them, and spoil them as industrious men. He goes on—

> "But I may say that no further payment of arrears will be required for 12 months. In any case I would not restore them generally speaking; each case should be considered on its own merits and with regard to the interests of the estate. All tenants in present possession, except a few against whom legal proceedings are pending, can have the same terms on paying at once three years' rent and costs. No costs under any circumstances will be remitted, and no reduction in any circumstances on judicial rents, but on non-judicial rents a reduction of 10 per cent. will be made on all payments made."

That is to say, these tenants will be restored on conditions that will place them in a worse position than that occupied by those who have been in occupation all the years that they have been out, because, while the tenants in occupation have had their rents re-considered and reduced by the Commissioners under the Act of 1887, those who would be settled with would be deprived of all the benefit of the reductions. I think it is very clear from the circumstances on the Ponsonby and the Clanricarde estates, and from the conditions that are laid down by the landlords' syndicate and the agent of Lord Clanricarde that the landlords do not want peace with the tenants, that they will not make the peace outside this House, that they will not accept the proposition of the right hon. Gentleman the Member for Bradford, which would bring about peace through the legalised action of this House. It is evident the landlords of Ireland do not want anything but war with their tenants. The hon. Member for South Tyrone stated that the tenants on these estates have made exorbitant demands for reductions, and that they have not acted according to awards which have been made. I will give the hon. Member an instance of a Plan of Campaign estate with which I had some intimate connection in the early stages of the Plan—I allude to the Mitchelstown Estate, and it is a fair sample of the estates that have been campaigned. After the Land Act of 1881 had been passed the tenants of that estate applied for permission to go into the Land Court. Being leaseholders it was necessary for them to ask permission, and Mr. Webber, the husband of the Countess of Kingstown, said he would select a typical case to be heard by the Court. That case was selected, and the tenant had his rent reduced by 30 per cent. Thereupon, Mr. Webber withdrew his consent from the other 400 tenants on the estate, and they had to continue to pay rack rents, rents which, according to the decision in the typical case, were 30 per cent. too high. The Cowper Commission was appointed, and reported that the value of agricultural produce had fallen by 20 per cent. since the rents had been fixed between 1881 and 1883. Therefore, the tenants on the Mitchelstown estate were rack rented to the extent of 50 per cent. The unfortunate tenants paid the 30 per cent. declared by the Commission to be a rack rent beyond the 20 per cent., which, according to the Report of the Commission, had been the reduction in the value of agricultural produce. What was the reduction asked for by the tenants on the estate? Did they ask for 50 per cent.? No; nor for 40 nor 30. They only asked for 20 per cent., and they were refused. The Plan of Campaign was entered upon, and bitterly fought on both sides. Men were sent to prison, men lost their lives, in the struggle, and after all this there was an arbitration and a settlement. The Land Commissioners came down and gave a larger reduction to the tenants than had been asked for under the Plan of Campaign. The rents have been paid and the award made has been acted up to by the tenants. That is a typical case, and a fair example of many of the estates that have been settled under the Plan of Campaign. Let the Committee bear in mind that some 60 estates have been settled by arbitration, and no complaints have come to this House, except those which have come from the hon. Member. I beg the Government to entertain this proposition, first, because the condition of things which demands a settlement was created by the Government themselves by refusing to legislate for these tenants, by rejecting the Bill of the hon. Member for Cork in 1886, and by the oppression of the Crimes Act, which has been placed at the disposal of the landlords of Ireland. That is an undoubted fact. We have never heard of landlords being sent to prison under that Act. I have given a few instances which, I think, ought to show that there is a cry against a settlement in the Plan of Campaign estates. That cry is kept up outside by those who are acting in the interests of the landlords, and finds an echo—more than an echo, a solid support—in this House from the friends of the landlords. But I would appeal to the landlords themselves. It is to their interest to have such a *modus vivendi* as that proposed this evening. It is also to the interest of the House to pass the Motion to remove the many subjects which disturb it here Session after Session. It would remove from us the necessity of carrying on such a Debate as this we have had to-night; it would remove the necessity of debating the Motion which will be proposed next Monday week by the right hon. Gentleman the Member for Newcastle (Mr. J. Morley). It would also be to the interest of the

Government to pass the Motion. It would be to the interest of the right hon. Gentleman the Chief Secretary for Ireland and his Government to have removed from their path this great obstacle to their successful administration, and it is because I believe it would serve all these interests that I give my support to the Motion.

*(10.17.) SIR JOHN COLOMB (Tower, Hamlets, Bow, &c.): According to the speech of the hon. Gentleman who has just sat down he appears to have given up the position attempted to be established by the Motion, for, in answer to the statement of the hon. Member for South Tyrone that arbitration had been a failure, he says that arbitration has not been a failure, and he gives us most remarkable instances of its success. What is the success which has been achieved at Mitchelstown? What was the arbitration there?

MR. J. O'CONNOR: I did not say there had been arbitration there.

*SIR JOHN COLOMB: There was arbitration—that of the Land Court, which, he says, fixed the rents at a 30 per cent. reduction. It is obvious, therefore, that, in the hon. Gentleman's opinion, the Land Court is an efficient Court of Arbitration for the reason that its action has been effective and satisfactory in the instance which the hon. Member has named. I listened with great interest to the statement of facts made by the hon. Member for Canterbury—and in matters connected with Ireland the one thing we want is facts. The hon. Gentleman who has just sat down attempted to prove—and laid great stress upon it—that the Government is adopting a system of compulsory arbitration. The hon. Member thinks he finds proof of that in certain letters which have been referred to. I cannot share that view. If my memory serves me right, Sir Redvers Buller was an old brother officer of Colonel Vandeleur, and nothing is more natural than that, reading in the papers of the difficulties of Colonel Vandeleur, particularly as the Colonel was not too strong in the head, Sir Redvers Buller should write to advise him to come to some settlement. All the letters simply amount to this: that Sir Redvers Buller advised his friend to look more fully into the matter, and, if possible, to arrange a settlement. The same process may be seen any night when a policeman advises excited or tipsy men to go home. No one will make a charge against the Government of conniving, or ignoring, or attempting to avoid the law because a policeman uses a certain amount of discretion in advising a man to do a certain thing rather than imprison him. But I agree with the hon. Member for Canterbury when he says that it is to be regretted that the Vandeleur family have not done more to develop the estate, but, unfortunately, the want of security furnishes an excuse for not sinking capital, which will not be attracted to Ireland until political agitation ceases. This Debate is important to the future of our Empire, because the right hon. Gentleman the Member for Bradford committed himself at Drogheda to the distinct pledge that he would join no Government and enter no Cabinet which did not, as a preliminary to his joining it, give a pledge to put back the Plan of Campaign tenants into their holdings. We must all, I am sure, look with alarm upon the condition of a future Cabinet of the right hon. Gentleman the Member for Mid Lothian without the ready aid, great eloquence, and suavity of the right hon. Gentleman the Member for Bradford. The Division may determine that grave issue. The hon. Member for Canterbury has given us a narrative of facts; but where is the hon. and learned Member for Hackney? Why is not the hon. and learned Member able to come and support his right hon. Friend? It certainly is very noteworthy that he is not in his place, seeing that he has taken such a prominent part in this arbitration. But, to come to the question at issue. I think when an abstract Resolution of this kind is proposed to the House we should look on it from several points of view. And one of the points of view is this: If the House passes the Resolution, can it be carried out, and will it work? Who is going to draw the terms of Reference? How can you go to arbitration on a political or sentimental brief? There are not only two parties—landlords and tenants—but there are two classes of tenants, having respectively judicial and non-judicial rents. The judicial tenant is a man who has been into the Land Court, in whose case sworn evidence has been taken, and in whose case the Commissioners have actually visited and examined the land on the spot and fixed the rent at a sum they think fair. Where is the room for arbitration in such a case as that? Are you going to start a sort of irresponsible Court of Appeal to upset the decision of that tribunal? I say you cannot work such a scheme practically unless as a preliminary you disestablish and disendow the Land Court of Ireland. The judicial tenant at present, if he is dissatisfied with the rent that is fixed, has a Court of Appeal; and if he does not appeal, you are bound to assume that he is satisfied. Therefore, in the case of the judicial tenant who will not pay, I fail to see, and challenge any one to show, where is the ground or basis for drawing up terms of reference in arbitration. As to the non-judicial tenant, it may be said that he has not had his rent fixed. That is so; but he has power to go into the Court to-morrow to have it fixed; and if it is reduced he will be recouped the amount he may have paid in excess of the judicial rent from the date of his application to the Court. Therefore, I ask again, is arbitration proposed to be established under this Resolution or is the Government to have thrown upon it, in addition to its other labours, the duty of acting as a Court of Appeal, to inquire into every case of dispute between the landlords and tenants? Is the Government to be called upon only when political capital is to be made? Can you draw a line in rent reduction where the Government is to interfere and to arbitrate and where it is not? Are you going to deal with the question in an abstract form, or how are you going to regard it? If the Motion is passed and tenants do not pay their rent, but say they are in the Plan of Campaign, what is to happen? Are you to interfere where the rent is £10, or £20, or £40, or £100, or where is the limit to be? You cannot fix a limit at all. And is the Government to arbitrate between the farmers who belong to the Boards of Guardians and the labourers who occupy labourers' cottages, where the latter refuse to pay their rents, and put themselves under the Plan of Campaign? In such a case is the Government to arbitrate and upset the decision of the Board of Guardians? Or is this Motion only put forward for political purposes to catch votes? Certainly it could never be carried out. There are, I know, some people who sincerely believe that the Plan of Campaign is only a parallel to strikes in this country; but I venture to say that anyone who went over to Ireland, not for a week or 10 days, but for a longer period, and made inquiries, and invested in some land where the Plan of Campaign was in force, would come to the conclusion that there was a vast difference between the Plan and a strike. In the case of labour in this country wages are not regulated by Act of Parliament, as are rents in Ireland; besides, in Ireland the tenant is secure in his holding, which cannot be said of the English labourer. The labourer, moreover, does not break a contract when he goes out on strike, as the Irish tenant does when he refuses to pay his rent. The Motion has no bottom in it. Instead of bringing about peace, it would intensify war, and would cast upon the Government a duty they could not perform. We may regard it as a hopeful sign that tenants are, generally speaking, content. It is within my own knowledge that a threat of the Plan of Campaign being adopted on a particular property is an immense impetus in favour of the payment of rents on the neighbouring estates, because tenants are frightened that they may be "campaigned," and take good care to pay their rents even before payment is expected. I ask hon. Members opposite how in practice they are going to apply such a Resolution as this to the position at New Tipperary? There has been no dispute there between landlord and tenants with regard to rent.

MR. SHAW LEFEVRE: I expressly excluded the New Tipperary dispute.

*SIR JOHN COLOMB: I thank the right hon. Gentleman for telling me. I was not present during that part of his speech. We understand, then, that hon. Gentlemen are going to vote for arbitration under the clear and distinct pledge of an ex-Cabinet Minister of their Party that there is no bottom in the New Tipperary quarrel, that arbitration cannot be applied there, and that the New Tipperary tenants are left in the lurch and excluded from the arbitration proposal.

(10.32.) MR. MAHONY (Meath, N.): I am sorry the hon. Gentleman did not read the Motion before he attempted to discuss it. Had he read it he would have seen that in terms it only applies to disputes arising between 1885 and

1887. This would include the dispute on the Ponsonby estate, where the Tipperary dispute originated, and if the Resolution were put in force, no doubt it would be effective in ending the New Tipperary quarrel also. Hon. Members on both sides profess their anxiety to bring peace to Ireland, and they now have the opportunity of giving effect to their wishes. Every argument against the Resolution to which I have listened has been based on the idea that the result of arbitration is to be in favour of the Plan of Campaign. Surely this is an extraordinary ground for right hon. Gentlemen opposite to take their stand upon, and for the hon. and gallant Member for North Armagh to contend that the passing of this Resolution would be a concession of anything to the Plan of Campaign. Surely that could not be the case unless in every instance the Plan of Campaign were justified. We believe it can be so justified, but hon. Gentlemen opposite take the reverse view; then let them put their belief to the test. The Attorney General for Ireland, in the course of his argument, said —and the main drift of his argument was—that whereas our contention is that leaseholders were excluded from the Act of 1881, and unjust arrears were undealt with, there were three estates to which he said the leaseholder argument would not apply, inasmuch as the landlords had offered to let their tenants break their leases and go into Court. The argument of unjust arrears would not apply, he said, because landlords had made larger concessions in arrears than any legislation would have forced them to grant. I should like a little higher authority for that statement; but if it is true, then it is due to the fact that the Plan of Campaign has been in operation in Ireland. What was the origin of the Plan of Campaign, for that is the pith of the whole matter? The responsibility for the Plan of Campaign rests not with us on this side of the House, but with Her Majesty's Government, who in the autumn of 1886 refused to listen to my hon. Friend the Member for Cork (Mr. Parnell), when he said that owing to the fall in agricultural prices judicial rents fixed by the Land Court had become unfair and impossible of payment. I, as a Land Commissioner, stated that in fixing rents I had made no allowance for the unexpected fall in prices, and the hon. and gallant Member for North Armagh (Colonel Saunderson) derided me, and said I had demonstrated my failure as a Land Commissioner because I had not been able to foresee what no living man then foresaw. What happened afterwards? The Government appointed a Royal Commission which found that no Land Commissioner had had in view a possible fall in prices when he fixed judicial rents. Yes, and the Government passed into law a measure giving relief to those tenants, though not so much as they ought to have got; therefore the injustice is one you have acknowledged, and you cannot get out of it by specious argument and beating about the bush. In 1887 you admitted that the results of the Land Act of 1881 had been unjust to leaseholders, and reductions since have been larger than to ordinary yearly tenants, proving that these leaseholders had a very serious grievance, and that this existed up to 1887, and this Motion does not pretend to deal with any tenant who is not suffering under that grievance. Arrears are still undealt with by legislation. We have been told by the right hon. Gentleman that the House has refused to deal specially with debts of this kind. Yes, but the House has dealt with such in Scotland; the reductions in arrears given to crofters far exceed any reductions by judicial rents. The Attorney General for Ireland alluded to two estates on which the Plan of Campaign was introduced, the Massereene estate and Lord Lansdowne's estate, and on both he said the landlords had offered to allow the tenants to break their leases and go into the Land Court. Yes, but this was after the Plan of Campaign had been put into operation, and after people had been evicted. What good was it then? On the Massereene estate leaseholders were only a very small proportion of the tenants, and the main fight there was against non-judicial rents, rents that had never been before the Land Court. Lord Massereene refused any reduction whatever, and dismissed his agent who recommended it. It was only after the Plan of Campaign had been adopted, and after some of the tenants who had not been evicted had gone into the Land Court and had got a reduction of 23 per cent., they having asked 25 per cent; the Land Court thus showing that the quarrel the tenants had entered upon was not an unjust one. That Lord Massereene made an offer to give the other tenants a similar reduction. But this offer was coupled with a condition that two of the tenants, who had been mainly instrumental in wringing from him this concession, were to be handed over to him as victims. Is this not a case for arbitration where we have shown the tenants were in the right and Lord Massereene in the wrong, and where the landlord would only make his concession on condition of wreaking his vengeance on the tenants who brought about this concession? Now take the Lansdowne case. The landlord refused any reduction of the judicial rent, and you in this House, by your action, by the law you have passed, have shown you believe Lord Lansdowne to be in the wrong, and yet you will not appoint a means by arbitration of bridging over this dispute, a dispute I believe Lord Lansdowne would be glad to have bridged over. Allusion has been made to the Glensharrold estate, and the history of the dispute there is a very instructive one. This estate was under the management of a Court in Ireland, not of any landlord, and the Court refused to give a halfpenny reduction. Judge Boyd tried to put me into Kilmainham Gaol because I advised the tenants to stick to their combination as the only one to bring about a concession. They did stand by each other, and the Court sent down a valuer who recommended a reduction of 30 per cent. Did this not prove the justice of the tenants' claim? But you may say, why have they not accepted the offer? The right hon. Gentleman has made a great deal of the letter from the Bishop of Limerick. That Prelate has lived in the town all his life, and his knowledge of agricultural tenancies is not very great, but he sent to Glensharrold a valuer of his own, who recommended a larger reduction than did the valuer for the Court. The valuer for the Court was Mr. Murphy, of Dunfanaghy, well known as valuer and arbitrator in railway cases, and now chief valuer of one of the Courts in Ireland. He is well known as an official valuer, and is an excellent valuer on land of good quality, but a bad valuer for land of bad quality, upon which he is inclined to put too high a price. We have heard how a little fact outweighs much theory, and I will give the facts as to the Glensharrold estate. Glensharrold land is mountain bog such as is found in the Gweedore district in Donegal, and there was a flutter among the landlords when the rents on Captain Hill's Gweedore property were reduced 35 per cent. The Land Commissioners were fluttered by it even. It was supposed to be a model property. They held a special sitting to hear appeals from the district, and they sent down their own valuer, while the landlord employed Mr. Murphy, of Dunfanaghy, according to whose valuation the reduction should have been less; but the Land Commissioners, acting on the report of their own valuer, confirmed the judicial rents in almost every case. This is a proof that Mr. Murphy's valuation was at least 30 per cent. too high; but it is a fact that in Glenshull the tenants were willing to settle if they could get 10 per cent. more than Mr. Murphy recommended. Was there ever a better case for arbitration than this? But we are told that arbitration has failed. For myself, I have only been connected with one arbitration, and that was on the Pollock estate. In that arbitration we appointed an umpire, but the services of that umpire were never required, because the gentleman who acted for the landlords and myself on behalf of the tenants had no difficulty whatever in coming to terms. The result is, that the tenants are perfectly satisfied with what was done. As to the Vandeleur estate it is said that the tenants there have not paid their rents, and a sort of list of these tenants was produced. It is not the first time we have heard of these lists, which we have found to be bogus lists, because when they have been brought up before their statements have been disproved. The hon. Member for Louth and the hon. Member for Canterbury (Mr. J. Henniker Heaton) went over one of these lists together and found that out of 150 cases only six were genuine ones. The tenants on the Plan of Campaign estates have been alluded to as the dupes of the Plan of Campaign. ["Hear, hear!"] An hon. Member says "Hear, hear!" But I would inform that hon. Member that the Plan of Campaign has been in operation in as many as 120 different estates, and that it is still operating upon 25. What has happened to the rest? The dupes have won the victory, they have got what they could not have got but for the Plan of Campaign. That Plan of Campaign has prevented outrage and crime in Ireland. We have challenged you over and over again on this point, and you have never yet been able to produce a single case in which the Plan of Campaign has been proved to have led to outrage and crime. On the contrary, the Plan of Campaign has protected tenants in Ireland outside the Plan of Campaign estates. It is, indeed, because you know this, and because you know that you have to give way to the Plan of Campaign, that you now wish to work vengeance on those who have carried it out. We appeal now not to the Irish Members opposite, but to the English Members, who have some sense of fairness in them, to step forward and say that this farce has gone on long enough, and that the best thing for all parties is that some higher power should step in and say this must now be ended on fair terms. What is the alternative which has been offered by the right hon. and learned Gentleman the Attorney General? He told us that it was important to produce an alternative, and the alternative he produced was the wise administration of just laws. This would have been a good argument if the laws had been just at the time the Plan of Campaign was put in operation. This Resolution only refers to tenants who adopted the Plan of Campaign before the end of the year 1887. Do you deny that the laws were unjust then, or that the tenants had an argument in their favour when they adopted the Plan of Campaign; and are you going to say that although they were driven to this because this House was so slow in attending to an Irish grievance, therefore these men are to continue to suffer and have no hope? Is this, I ask, a statesmanlike policy? You profess to believe in the justice of your cause, the Irish landlords profess that their brethren in Ireland have acted justly towards their tenants. Why do not you adopt with eagerness and avidity the opportunity now offered to you of establishing a Court of Arbitration, so that you may thereby show the world that the Irish landlords have justice on their side? If you refuse to adopt this proposal, if you still decline to take advantage of the opportunity it affords of a settlement with the Irish tenants, the public will form its own judgment as to the reasons by which you are actuated. I do not think they will have any difficulty in coming to a right conclusion. They will be of opinion that the real reason by which you are actuated is that you have a bad cause, and that you are well aware if the Courts of Arbitration were established they would operate to the tenants' right and to the landlords' wrong.

(10.55.) MR. A. J. BALFOUR: The question which has most forcibly pressed itself on my attention in this Debate is why it ever came on, and under what inspiration the right hon. Gentleman who introduced it was rash enough to bring it before the attention of the House. Which of the numerous sections on that side of the House did he expect to please by his action? Was it to please hon. Gentlemen below the Gangway, who initiated the Plan of Campaign by informing their dupes that it was a short, a certain and expeditious method of bringing the landlords to their knees? Was it to please them that he brought forward a Resolution which, if it means anything, means that the landlords have not been brought to their knees, and that the aid of the Government is required to carry it out? Was it to please hon. Gentlemen above the Gangway that he thought himself justified in bringing forward a Motion which, if it proves anything conclusively, proves this at all events: that there never was a feebler or a more fatuous attempt at the settlement of any great question than the attempt made by the right hon. Gentleman the Member for Mid Lothian in 1881? The whole of his speech, and of every speech which has been delivered below the Gangway, comes, in substance, to this: that you cannot trust the Land Courts in Ireland to fix fair rents; that the method of arbitration, which, with so much pomp and circumstance, you established in 1881, has proved a total failure; and that the Legislature must again produce a second Court of Arbitration, conducted by different principles and methods of procedure, to settle the outstanding quarrels with which the settlement of 1881 has been found incapable of dealing. I am convinced that the right hon. Gentleman, whomsoever he consulted when he put his Motion on the Paper, consulted neither the hon. Member for Cork nor the right hon. Gentleman the Member for Mid Lothian. Both those distinguished Members of this House must be perfectly well aware that nothing could be worse for the cause which they, more or less in harmony, attempt to represent in this House than to bring forward in this House a Resolution which will make plain to the English public the seamy side of one of the most contemptible methods of political agitation ever adopted, and make plain to the Irish public and tenants how illusory were the promises of support held out by the Irish agitators four years ago. I am aware that the right hon. Gentleman the Member for Bradford thinks that he has a prescriptive right to deal with this matter of the Plan of Campaign estates. He has trotted about Ireland from time to time, from one Plan of Campaign estate to another, and has from time to time written letters to the newspapers explaining his views. He has been in close and intimate relation with the leading agitators on those estates, and he thinks he has a right to lead the House in all its discussions upon this interesting and important question. But, for my own part, if I may speak very sincerely to the right hon. Gentleman, I would recommend him to leave these questions to the Irish Members. Depend upon it, these amateurs in agitation, these dabblers in disorder, do not really know how to play the game; let him leave it to those who do know how to play the game, and who are perfectly prepared on occasion to go to prison for their convictions; and let him not come down again with that curious hesitation of manner and intention which always overcomes him when he tries to explain to the House how very near he went to breaking the law, and how terribly afraid I and the Government were to prosecute him. He resembles nothing so much as a boy going to bathe in rather chilly water who sticks in a hesitating foot, and as soon as he finds the water rather cold takes it out again with a rapid and convulsive motion, and then goes home and explains that he was quite prepared to face the inclemency of the weather, but, on the whole, thought it better for his health to abstain. The right hon. Gentleman proposes a plan of compulsory arbitration in the case of certain disputes in Irelan disputes in cases as between landlord and tenant. But disputes in this country are not unknown. Disputes, as we all are aware, and as we all know with deep regret, have existed, and do exist, between classes in the industrial world in England. Why are not those settled by compulsory arbitration, if compulsory arbitration is to be the form of deciding disputes at all? Are the workmen of England less worthy of support in this House than the campaigners in Ireland? For my own part, there can be no question that of all persons who have engaged in these pursuits in any country in the world, probably those engaged in the Plan of Campaign are least deserving of special favour at the hands of this House. We know, at any rate, in regard to the disputes between capital and labour, that the persons concerned have acted within their rights, and aimed at a perfectly legal object. But that is not so with regard to the Plan of Campaign, and one of the most important parts of the right hon. Gentleman's speech was that in which he demonstrated the essential difference between a trade dispute in England and a land dispute in Ireland. What are the facts about the Plan of Campaign? The whole of the discussion to-night has been conducted upon the theory that the Plan of Campaign was a spontaneous movement on the part of the tenantry, and that it would not have been heard of if the Bill of the hon. Member for Cork in the autumn of 1886 had been accepted. That theory was first invented by the ingenious mind of the right hon. Gentleman the Member for Mid Lothian, and it has since been repeated by almost every Member of the right hon. Gentleman's Party. I say that there never was a historic theory more absolutely devoid of the slightest trace of foundation. I will describe the Plan of Campaign in one word, by saying that it is simply a move in the Irish revolutionary movement which has been going on since 1879. After the result of the election of 1886 was known, when it became evident that the people of this country would have nothing to do with Home Rule, hon. Members from Ireland announced, and *United Ireland,* which then represented hon. Gentlemen below the Gangway opposite, repeated that the time had come for instituting a new campaign against the landlords. On July 24, 1886, *United Ireland* said—

"Another campaign against the landlords is inevitable;"

and on July 31 —

"Landlordism may rest satisfied that within the great ambit of the Ten Commandments, and even within the less venerable precepts of the English law, the Irish people will find means of modifying the jubilation of the landlords."

But experience has shown that the gentleman who wrote that knew very little about the Ten Commandments or about English law, for every competent authority has declared that the Plan of Campaign is both inconsistent with the Ten Commandments and with every known principle of the English common law. That was before the hon. Member for Cork brought in his Bill, which has ever since been used as a stalking-horse for the legality of the Plan of Campaign. Now, let us examine how far the contention is true that the Plan of Campaign was the spontaneous action of the tenants, taken in consequence of the rejection of the Bill of the hon. Member for Cork. Has anyone taken the trouble to estimate the amount of relief that would have been given on the Plan of Campaign estates had the hon. Member's Bill become law? Sir, the relief given would have been absolutely insignificant. The Bill only applied to leaseholders and tenants whose rents were judicially fixed before 1884. Now, let me remind the House that on the Ponsonby estate 190 eviction notices were served. Of the tenants concerned, only 22 would have gained anything under the Bill of the hon. Member for Cork. Out of the 114 tenants dealt with on the Coolgreany estate only 15 would have been benefited. On the Olphert estate better terms were offered than would have been given to the tenants under the hon. Member's Bill; and on the Clanricarde estate, out of 1,400 or 1,500 tenants, there were not more than 117 who would have gained one shilling had the measure become law. If, then, out of nearly 2,000 tenants on those estates, not more than 154 would have gained anything under the Bill of the hon. Member for Cork, what becomes of this flimsy pretence that the rejection of the measure was the justification of the Plan of Campaign? The contention falls to the ground. The truth is that no far-fetched explanations, no recondite investigations into the contemporary history of Ireland are required; the reason for the Plan of Campaign is found in the avowed intention of hon. Members below the Gangway opposite to make the government of Ireland impossible. They thought that to start the Plan of Campaign was a very good way of achieving their end. Could they have chosen a better method of doing that? From the beginning of the agitation in 1879 they have seen the importance of mixing up the agrarian and the political motive. Could there be a better method of doing this than by the Plan of Campaign? The objects of the Plan of Campaign are the objects which have signalized the agitation since 1879, and the methods by which it has been carried out are those which have been invariably used by the leaders of the agitation. They bribe one set of men, and they terrorise another. One hon. Gentleman, an English Member, who spoke when the House was thin, about 8 o'clock, gave his own experience of an evicted tenant in Loughrea, I think—at all events, it was on Lord Clanricarde's property—who, he said, was in a much better position two years after she had been evicted than she was before; and he told us the story with a great deal of perfectly genuine feeling, but without the slightest glimmering of the obvious inference that might be drawn from it. I have no doubt she was better off. Hon. Gentlemen below the Gangway have said to the tenants, "You will make more out of the Plan of Campaign than you will ever make out of your holdings." Those people are to be better off now they have gone out of their holdings on the £2 or £3 a week given to them by the National League——

Mr. T. M. HEALY: Better than Consols, any way.

*Mr. SPEAKER: Order, order!

Mr. T. M. HEALY: Goschens! Goschens!

Mr. A. J. BALFOUR: So much for the bribery; how about the intimidation? The hon. Member for Meath had the courage to tell the House that not a single crime could be alleged in connection with the Plan of Campaign. I listened to that statement with amazement. I thought my power of wonder had long been exhausted, but I have still much to learn. Why, Sir, the hon. Gentleman must know perfectly well that there is no difficulty in piling up a catalogue of offences against the law in connexion with the Plan of Campaign; and he knows perfectly well that it would be impossible to work the Plan of Campaign on any estate for six months without first bribing the tenants to come out and then terrorizing them if they attempted to go in.

MR. MAHONY: When I used the word "crime" I meant what I call real crime.

MR. A. J. BALFOUR: Here comes, I think, "the great ambit of the Ten Commandments." I am not going to enter into a casuistical discussion with the hon. Gentleman as to what constitutes crime and what does not; but if he thinks no crime has occurred, that is, no real crime, I presume an attempt to blow up a sergeant of police and a large body of innocent gentlemen is not to be counted a real crime. I do not think any other interpreter of the Ten Commandments will take the same view. Is it not notorious, not to go into the details of the various crimes, how tenants on all estates have come by night to pay their rents, and have implored the agent or the landlord who received their money to keep that fact secret, as if it were the most disgraceful incident of their lives? Is it not true that, when the least sign of giving way on the part of the tenants was visible, some hon. Member below the gangway, the hon. Member for Mayo perhaps, or some other person, promptly rushed down and made a vehement speech against a settlement? These gentlemen want arbitration now.

DR. TANNER: I rise to order, Sir. The hon. Member for Mayo, Sir, has been described as a person by the Chief Secretary.

*MR. SPEAKER: Order, order! I must ask the hon. Member not to interrupt.

DR. TANNER (pointing to the Chief Secretary): Treat that man there the same.

MR. A. J. BALFOUR: Some Member immediately went down and did his best, not merely by persuasion, but by violent speeches, to keep the yielding phalanx in line, and to prevent those who had already discovered their mistake from settling with their landlords, and from doing that which he and other Members below the Gangwa described as betraying the Irish race. The evidence that this Plan of Campaign is in no sense the spontaneous action of an over-rented and over-tasked tenantry, but is simply a move in a political game, of which the tenants are at once the instruments and the victims, is manifest from every particular connected with the progress of events. This is evidenced by the fact I have just alluded to. It is evidenced by the enormous sacrifices made under threats, as in the case of the unfortunate Duggan at Tipperary. It is manifest from the fact that the Plan of Campaign has always arisen from the Land League organisation, which is essentially a political organisation. That organisation always started and maintained it, and by it the tenants are now kept alive, so far as they are kept alive. It is evidenced by the fact that it is not left to the tenants themselves to determine whether they shall or shall not continue the fight—that some politician thinks it necessary to interfere as soon as the tenants give the least indication of a desire for settlement. It is shown, if further proof is required, by the fact that wherever you find a body of Protestant tenantry, though subjected to precisely the same economic conditions as the others, they have invariably refused to join the Plan of Campaign; and if that is not enough it is proved by the fact, the curious fact, that on the Clanricarde estate there is a small portion of the property where the population is entirely Irish-speaking, and where, therefore, the Irish patriots, as they do not know Irish, have had no power, and through all the trouble that there has been on the Clanricarde estate I believe that these, the highest rented tenants, have paid their rents in contentment from year to year. We are told that the landlords have shown I do not know what kind of malign and stupid obstinacy by not giving a reduction to their tenants, yet I believe that on the Clanricarde estate there were practically no arrears to speak of at the time the Plan of Campaign was started. Every one of those tenants could have gone into the Land Court, yet not a single one did so, and then you come to us and ask for arbitration. Was ever so flimsy a case put before the House of Commons? Parliament spent the whole Session of 1881 in passing a Land Bill fixing fair rents.

Mr. T. M. HEALY: Who moved to omit the fair rent clause?

Mr. A. J. BALFOUR: I am not going to praise that Land Bill, but it was the glory of every Liberal statesman and of every Radical politician. Hon. Members below the Gangway quarrelled with hon. Members above as to who were deserving of the greatest credit for passing it. Yet when 1886 comes round we find in regard to an estate where not a single tenant had gone into Court—for the talk about the fall of prices was merely an excuse—hon. Members opposite rather than go to the Land Court started the Plan of Campaign, and asked for exorbitant reductions; and yet they asked the House to believe that this was the result of spontaneous combination on the part of the tenants, and not a political move on the part of political revolutionists. Now, in the speeches we have heard to-night there appears to me to reign considerable obscurity of ideas upon what are called the rights of the tenants. The right hon. Gentleman who opened the discussion—the right hon. Gentleman the Member for Central Bradford — told us that it was the opinion of the tenants, and that he agreed with that opinion, that it was a matter of right on their part to get a reduction of rent. The question of liability is one thing, and the question of right is another. I conceive that the legislation of 1870 and 1881 meant, if it meant anything, that the tenant, whatever else he had a right to, had no right to get a reduction of rent; but that every single tenant in Ireland, other than the leaseholders, who are a small number, either had a judicial rent which he was bound to pay and had no right to get reduced, or had a non-judicial rent which he could have taken into Court and got reduced. It is preposterous, therefore, to say that the Land Act of 1881 gave the tenant a right to some kind of reduction outside the operation of that Act. That is not so. I am aware that hon. Gentlemen opposite have, on this occasion, as on previous occasions, told us that, because we passed the Act of 1887 giving a reduction of judicial rents in certain circumstances, we have no right to say that judicial rents should be adhered to. But I differ from that entirely. The Parliament of 1881, acting under the advice of hon. Gentlemen who sit opposite, and to whom it never appeared to occur that prices might vary, passed a Land Act which fixed judicial rents for 15 years, and every Irish landlord was told that as he was unworthy to exercise it, henceforth the function of fixing rent would be transferred from him to a Court. The system broke down in practice, and Parliament had to interfere—I will not say to put the system right, for that was impossible—but to patch it up in a kind of way; but what right, I may ask, had the Irish tenant outside the action of Parliament to claim that the landlord was to do the very thing which Parliament told him he was not to do, and was not worthy of doing? The whole contention is preposterous. I admit that had I been an Irish landlord, and a landlord had asked my advice in the matter, I might have said to him, "It is a serious misfortune for you to have lived at a time when a Liberal Government passed such an Act. It is an extremely foolish Act: it does not settle the Irish question, but that is not your fault. Parliament says you are not to fix your own rents, and I advise you to go beyond the advice of Parliament, and to do that which you would have done had Parliament never interfered between you and your tenants." But that would be a very different thing to coming into this House and saying that the Irish tenant had a right to demand something other than the Land Courts gave him, and that if it was not immediately granted by the landlord an illegal conspiracy would be started. I will now endeavour to bring my observations to a close; but I cannot leave the subject without expressing my indignation at the sort of language which the right hon. Member for Central Bradford, and those who have supported him, have thought fit to use against the landlords against whom the Plan of Campaign has been directed. I do not doubt that there are bad landlords in Ireland: nay, I am certain that there are. When you have to deal with such a large class of men you are certain to meet some stupid, some criminal, and many injudicious men among them. But the particular landlords whose estates have been the subject of Debate are certainly not men who deserve to be attacked as they have been to-night. Even in regard to the hon. Member for South Hunts the right hon. Gentleman was obliged to admit that the terms he offered were fair and generous, and he only found a ground for attacking him by misrepresenting the facts of the case; because, if I recollect rightly, the evicted tenants were included in the generous offer he made only a little more than a fortnight after the offer of the original terms. That is not denied.

MR. SHAW LEFEVRE: I stated that.

MR. A. J. BALFOUR: But the right hon. Gentleman did not give the date. There was one other point on which the right hon. Gentleman attacked my hon. Friend. He said that under the terms offered the evicted tenants were obliged to pay rent for all the time they were out of their farms. That is not so. They had to pay certain costs, no doubt; but as far as my information goes they had not to pay rent during the time stated. In my opinion, a more ungenerous statement than that could not be made. Mr. Olphert is a man very advanced in years. He lived, not merely on friendly, but on intimate terms with his tenants, until the right hon. Gentleman, and men like him, interfered between them. If the right hon. Gentleman is spared to a grateful country, as I hope he may be, until he reaches the same age as Mr. Olphert, I hope he may be able to look back upon a life as well spent. With regard to Lord Clanricarde, the other person who has been attacked, it is not my business to defend or to criticise him. I have listened to the criticisms passed on him to-night, but I have been unable—it may have been my stupidity—to extract from these criticisms anything beyond this—that Lord Clanricarde is an absentee, that he shows not the slightest interest in or care for his property, that he has left the whole thing to look after itself, that he has never spent sixpence upon it, and that he absolutely ignores the representations made to him by his tenants and by other persons on their behalf. I do not say that is not a heavy catalogue of offences, but it is not a catalogue of offences justifying the Plan of Campaign. As far as any evidence has come before me, Lord Clanricarde's rents were not excessive rents, and it has been admitted by the most fanatical admirers of the Plan of Campaign that nothing but excessive rents will justify it. Either Lord Clanricarde's rents were excessive or they were not. If they were not, what justification is there for the Plan of Campaign being started on this estate? If they were excessive, why did not the tenants appeal to the Land Court before they joined it? That is not, indeed, a justification for all Lord Clanricarde thought fit to do, but it is an absolute and conclusive proof, until a refutation is given to it, that those who started the Plan of Campaign on that estate are a thousand times worse than Lord Clanricarde himself. The right hon. Gentleman suggests arbitration. I think I have disposed of that. Then he says I should inform those landlords who fail to make peace with their tenants that they shall neither have justice in the Courts nor protection out of them. He asks me to summon to Dublin Castle these recalcitrant landlords. I do not know that they would come, but if they did I do not pretend to possess the commanding personality of the right hon. Gentleman, and I do not know that I could persuade those landlords who have been the victims of this criminal and perfectly unjustifiable conspiracy to make peace with their adversary and give him all that he asks for. But supposing that arbitration were adopted, what reference should be given to the arbitrators? Observe what happened on these estates. The Plan of Campaign was started at the end of 1886—or that was the period of its early honeymoon. It was then believed in by hon. Gentlemen opposite. Since then no rent has been paid at all. Where the tenants have not been evicted there is a heavy accumulation of arrears. It is probable—I am afraid it is pretty certain—that, as a matter of fact, the tenants have got rid of the arrears and have not in most cases banked them. What is the arbitrator to do in such cases? If he wipes out the arrears he is not acting on principles of equity, because, even on the principle of gentlemen below the Gangway, the landlord is, at any rate, entitled to the whole of the arrears *minus* what would have been a fair reduction. Practically, it may be said he is entitled to three-quarters of the arrears. But if the arbitrator orders payment of the arrears, where are they to come from? For these arrears hon. Gentlemen below the Gangway are responsible; but if the arbitrator were to give an award against them, I do not know that there is any Court of Law which could enforce it. But, even supposing these difficulties got over, have we any reason for supposing that other difficulties could be settled? I think it will be admitted that you cannot ask any landlord to accept a settlement which would by many be regarded as a triumph for the Plan of Campaign, and which would be in effect a stimulus for the same ingenious scheme being started on his neighbour's property. The hon. Member for Mayo (Mr. Dillon), after the arbitration on the Vandeleur estate, announced it as the greatest triumph of the Plan of Campaign. But has the arbitration on that estate succeeded? In his most powerful speech the hon. Member for South Tyrone (Mr. T. W. Russell) elaborated and conclusively proved that arbitration where it has been tried has not succeeded. How stands the case with regard to the Vandeleur Estate? The first instalment under the award of the arbitrator was to be paid on October 25, 1889; 255 tenants paid, and 14 failed to do so. The second instalment was due in April, 1890; 237 paid and 32 failed. The third instalment became due in September, 1890; 160 paid and 109 failed. The fourth instalment became due at the end of the year, and 20 tenants have paid it, while 249 have failed. Such are the figures. Yet the arbitration, on the evidence of my hon. Friend below the Gangway, was all in favour of the tenants; and the arbitrator was a gentleman whose ability we all acknowledge, though he is a strong politician. In this case there is a gradual increase from half-year to half-year in the number of defaulters. It appears to me that if anything were required to show the absurdity of a proposition whose absurdity is evident on the face of it, this experience would afford it. If I am asked what course ought to be pursued my answer is this: Some hon. Members have accused me of desiring to prolong these disputes, but no man in this country has a stronger personal or public interest than I have in seeing every dispute in Ireland settled. Every consideration, public and private, every consideration derived from personal credit or from public credit, would induce me to desire to see these unhappy controversies once for all wiped out. But I would never counsel any landlord in Ireland to submit to the Plan of Campaign. If I were an Irish landlord I would beg my bread before I gave in to the Plan of Campaign.

DR. TANNER here uttered some words which were understood to be: The galloping snob. [*Cries of* "Order!" *and* "Name!"]

DR. TANNER: Mr. Speaker, I made a mistake, and withdraw unequivocally.

*MR. SPEAKER: Yes; but the hon. Gentleman has repeatedly interrupted. I warn the hon. Gentleman that if he interrupts the proceedings again it will be my duty to put into operation the Standing Order.

MR. A. J. BALFOUR: When I was interrupted I was stating to the House what is the fact—that if I were an Irish landlord I would beg my bread rather than give in to the Plan of Campaign, and I would beg my bread rather than let any other landlord give in for want of support. But when once the illegal conspiracy came to an end I should remember that, after all, these men were acted upon by those in whose advice they thought they could trust. I should remember that they were compelled by intimidation in many cases to follow courses which they bitterly regretted; and, for my own part, even if it were not wholly to my own personal and pecuniary interest, I should desire to restore peace to that part of the country in which my property was situated, and to see that on fair and equitable, and even generous, terms the tenants were restored to their ancient homes. These are the principles on which I should act. But to ask us to have compulsory arbitration or legalised arbitration in these cases—to ask us, in other words, to bolster up the tottering Plan—is surely in the highest degree absurd; and I am certain that, if we were insane enough to propose such a course, the House of Commons would not be insane enough to adopt it.

*(11.44.) SIR G. TREVELYAN (Glasgow, Bridgeton): The right hon. Gentleman, in the last sentence of his very vigorous speech, interspersed, with some other words that were not so kind, some very kindly words towards the tenants. He said he hopes the day may come when he may remember that these men were, as he says, misled, and when

he may do something to reinstate them in their position, and that, I think he said, would be one of the happiest moments of his life.

MR. A. J. BALFOUR: I said if I were an Irish landlord.

SIR G. TREVELYAN: I am quite certain that an Irish administrator cannot have less kindly feeling towards the Irish people than an Irish landlord ought to have. Well, Sir, when that day does come it will be too late, because these tenants will have finally and for ever lost their *status* as Irish farmers. The right hon. Gentleman attacked my right hon. Friend (Mr. Shaw Lefevre) with great severity; but I do not think he will persuade the people of Ireland that the Member for Bradford is not a true and disinterested friend, according to his lights—[*ironical cheers and laughter*]—and these lights are bright lights—not only to the Irish tenants, but to Ireland, and to the cause of order in that country. The right hon. Gentleman attempted to induce the House to believe that my right hon. Friend was actuated not only by political motives but by motives of personal ambition in taking the course he has taken to-night; but those who listened to my right hon. Friend's speech, and who read his Amendment, will see that it is not a political question which he has brought before the House of Commons, but purely an administrative question, and I think it should have received a more favourable, and I venture to say a more courteous, handling from the chief administrator of Ireland in this House. We are not here to attack or to defend the Plan of Campaign. Many gentlemen opposite have spoken of this Amendment as a confession that the Plan of Campaign has failed. I will not say whether it is a confession or not, but I do say it is an endeavour to effect a practical solution of a great difficulty, which cannot be solved by any machinery at present before us. The right hon. Gentleman said he would not counsel anyone to do anything that would give recognition to the Plan of Campaign. There have been 100 or 120 cases of the Plan of Campaign. Out of them all but some very few have been brought to a pacific solution, and if the landlords of Ireland had obeyed the advice of the right hon. Gentleman he would have had on his hands, not only these three or four estates now remaining, but 100 or 120 cases, and his position as the administrator of Ireland would have been a painful one indeed. They are now reduced to some three or four estates, and we ask the Government to re-consider its position in this matter. It is the absolute duty of the Government of Ireland to bring about a pacific settlement, and how does the right hon. Gentleman propose to bring it about? I listened very carefully to the speeches of the Chief Secretary and the Attorney General for Ireland, and the only remedy which was put forward was the just and quiet administration of the existing law. That law, the Attorney General remarked, was more favourable to the tenant than the land law in any other country. I will not stop to dispute that contention; I will grant that it is a very favourable law. But what use is there in referring us to this law in regard to the tenants on the Plan of Campaign estates? There is not one tenant on any one of these estates who is in a position to appeal to that law. He has lost his *status*, and he cannot get it back except by the good favour of the landlord, or without some such amendment of the law as that proposed by my right hon. Friend. What chance is there of the tenant recovering his *status* by favour of the landlord? There is one great district in Ireland — not as the hon. and learned Member for Longford (Mr. T. M. Healy) said, in a moment of inadvertence, 10 square miles in extent, but something like 10 miles square—which is under Lord Clanricarde. It is not my business to attack Lord Clanricarde, and I am glad it is not my business to defend him. I will just read to the House the conditions which Lord Clanricarde lays down to the inhabitants of this immense tract of country before they can recover their *status*—

> "Any tenant who would be restored will be liable for all costs and arrears, even for those which accrued while he was not in possession of his farm. In the case of the restoration of evicted tenants, I would at once require payment of three years' rent and costs. In any case, I would not restore the tenants, generally speaking. Each case would be considered with regard to its own merits. The tenants in present possession can have the same terms on paying at once three years' rent and costs. No costs, under any circumstances, will be remitted, and no reduction, under any circumstances, will be made in judicial rents. But on non-judicial rents reductions of 10 per cent. will be made on all payments made."

Now, I ask any hon. Member opposite not whether these tenants deserve to pay this enormous fine; but whether there is the least chance of their being able to pay it? There is none at all. And, as is the case of Lord Clanricarde's estate, so are practically, with less fault on the part of the landlords, all the other estates concerned with the Amendment. My right hon. Friend shows you a better way. He asks the Government to do what the Chief Secretary rightly describes as placing an arbitration on the top of an arbitration. Is there any harm in that in Ireland? In 1887 the Government had an arbitration on the top of an arbitration. Again, the leaseholders were admitted to the advantages of the Act in 1881, and everyone knows that if bad times come again in Ireland, you must have, in some way or other, another arbitration on the top of an arbitration. Now, here are some three or four arbitrations proposed which would settle this great and outstanding controversy in its present phase, and perhaps another one would not occur for a long time. But the right hon. Gentleman says, "Ah, but you cannot trust the tenants to keep to the result of the arbitration." I think too much stress has been laid upon the transactions with regard to the Vandeleur estate. It is quite true that, as time goes on, there are tenants who fall behind in their payments. But consider the character of those payments. There were the accumulated rents of something like two and a half years, to be paid within a very short time. The question is, was the non-payment contumacious or not? I do not gather that anyone has genuine evidence that it was; and we, on the other hand, have good evidence to the effect that the tenants have been trying to pay, have been selling cattle to pay, and have been borrowing to pay. We know that there has been a bad potato crop, and that some of the tenants are now behind. But as far as rebellion against the law is concerned, that is over, and I do not think the right hon. Gentleman, or the hon. Member for South Tyrone (Mr. T. W. Russell), denies that what is going on at present is not a contumacious and illegal refusal of rents. I have just had a telegram put into my hand, stating that, in the case of the arbitration at Gweedore, everything has been paid to the very last farthing. On the whole, these arbitrations have been most successful. But the Government would enjoy advantages which private arbitrators do not possess. They would be able to feel the pulse of the district to which they went, and to judge whether an arbitration would be favourable in that district. I will conclude by saying this to the Irish landlords: If you do think that the Plan of Campaign has not yet been defeated, and you do not agree with this Amendment, and endeavour to clear away all that remains of this wretched quarrel, you will be doing something that is unwise. But if you think the Plan has been defeated, then you will be doing something both ungracious and unwise in not agreeing to this proposal. To the Government I say this: Seeing that Ireland is, in their opinion, quieting down, let them remove the last relics of agrarian disorder by accepting this Amendment.

(11.59.) The House divided:—Ayes 213; Noes 152.—(Div. List, No. 25.)

Main Question proposed, "That Mr. Speaker do now leave the Chair."

Motion, by leave, withdrawn.

SUPPLY—Committee upon Monday next.

MOTION.

LICENSING (IRELAND) BILL.

On Motion of Mr. T. M. Healy, Bill to amend the Licensing (Ireland) Acts, ordered to be brought in by Mr. T. M. Healy, Mr. Flynn, Mr. Peter M'Donald, and Mr. Cox.

Bill presented, and read first time. [Bill 180.]

PURCHASE OF LAND, &c. (IRELAND) BILL, 1890-91 (SINKING FUNDS.)

Copy ordered—

"Of Return showing the operation of Sinking Funds on first Advances and additional Advances under the Purchase of Land, &c. (Ireland) Bill, 1890-91."—(*Mr. Jackson.*)

Copy presented accordingly; to lie upon the Table, and to be printed. [No. 65.]

House adjourned at a quarter after Twelve o'clock till Monday next.

HOUSE OF LORDS,

Monday, 2nd February, 1891.

SAT FIRST.

The Lord Cottesloe, after the death of his father.

ARABI PASHA.

QUESTIONS—OBSERVATIONS.

*EARL DE LA WARR: My Lords, I wish to ask Her Majesty's Government whether they are in possession of information relative to the state of health of Arabi Pasha in Ceylon; and, if so, whether they will lay that information upon the Table of the House? I am induced to ask this question in consequence of reports which have reached this country, and which I believe from private information to be correct, that Arabi Pasha is suffering greatly from the effects of the climate of Ceylon. It will be in the recollection of your Lordships that Arabi was banished to Ceylon for the crime—if it can be called a crime—of fighting for the independence of his country; and I hope to hear from the Government that they consider that the so-called crime has been now atoned for, and that the aged Egyptian exile may be allowed to end his days in his own country and among his own people.

THE PRIME MINISTER AND SECRETARY OF STATE FOR FOREIGN AFFAIRS (The Marquess of SALISBURY): My Lords, the question of the noble Earl raises somewhat extensive speculations on the subject of political ethics. We have heard a great deal lately about the difference between political and ordinary offences; but I never expected to hear the distinction strained so far as to make Arabi Pasha an innocent man. The crime for which he was tried, and for which he was condemned to death, was not that of fighting for his country, but that of rebelling, he being a soldier, against his Sovereign. He was condemned for military mutiny, and if he had been a less distinguished person he would undoubtedly have been shot. The Government of that day, for reasons which I will not in the least contest, which I have no doubt they considered sufficient, thought it desirable to press on the Egyptian Government that the sentence should be commuted, and the sentence was commuted to perpetual banishment. I do not in the least impugn the wisdom or discretion of their action; but I cannot admit that Arabi Pasha is, among the other offenders, entitled to the very special sympathy which my noble Friend has assigned to him. But I quite agree that the banishment should be simply banishment; that it ought not to be banishment to a climate which would seriously endanger the offender's health. That was not in the terms of the original sentence. When, therefore, it was shown to the Egyptian Government that there were persons who believed that the health of Arabi Pasha and of some of his companions was being seriously affected by their residence in Ceylon a medical inquiry was ordered to be held. A Medical Board was appointed last autumn to examine and inquire into the statement. They did examine, and their Report was that the climate of Ceylon had exercised no injurious effect upon the health of the banished persons. In these circumstances, it did not appear necessary to Her Majesty's Government to urge the Egyptian Government to make any change in the policy they were pursuing. The particular document in which the opinion of the Medical Board is recorded is not, I think, in this country. I think it was sent to Egypt, and is there now; but I will inquire of Sir Evelyn Baring whether there would be any difficulty in producing it; and, unless I hear that there are reasons which I do not expect to hear, I should be very happy to lay it on the Table of the House.

*EARL DE LA WARR: May I ask the noble Marquess what was the date of that Report?

THE MARQUESS OF SALISBURY: It was made last autumn; but I cannot give the precise date.

THE PLEURO-PNEUMONIA ORDER.

QUESTION—OBSERVATIONS.

*THE MARQUESS OF HUNTLY, in rising to ask the Lord Privy Seal whether the Board of Agriculture would grant special licences, after full inquiry, to pedigree cattle entered for the approaching spring sales at Perth, Inverness, and elsewhere, although such cattle may be located in counties now scheduled under the "Pleuro-pneumonia Order," said: My Lords, the breeders of pedigree cattle throughout the country are very seriously inconvenienced by the scheduling of whole counties under the Pleuro-pneumonia Order, and the question which I have to put to my noble Friend the Lord Privy Seal is, whether certificates could not be granted for those cattle to attend the Spring Sales? I may explain, in a few words, the reason for this demand. The breeders rely upon these Spring Sales for getting rid of their animals. Unless breeders are able to send them to the annual sales throughout the country, which are looked forward to for that purpose, breeders are unable to sell the animals they have bred, and the loss thereby caused to them is considerable. I do not wish it to be considered that I put this question in any way antagonistic to the Board of Agriculture, who, I am sure it will be recognised, are taking very vigorous means for stamping out pleuro-pneumonia; but it is known that among these pedigree herds there has been no case of pleuro-pneumonia, and that it is very unjust, therefore, to include them in the scheduling of counties. If proper inquiry is made they might, with perfect safety, be brought to these sales, and transmitted under certificates to any place to those persons who have purchased them. This assists both ways, because not only would bulls entered from places which are not scheduled at auctions held in scheduled districts be allowed to be removed, but it would permit the movement of such animals within the scheduled country. I most earnestly hope that the President of the Board of Agriculture will be able to see his way to giving this relief to breeders of pedigree cattle, who will otherwise suffer serious loss. I beg to put the question which stands in my name.

THE LORD PRIVY SEAL (Earl CADOGAN): My Lords, the Board of Agriculture have carefully considered the question to which the noble Marquess has referred, but they are unable to grant the special licences for the purpose of enabling cattle in an infected district, which is scheduled under the Pleuro-pneumonia Order, to be exposed for public sale beyond the limits of such district. To concede what my noble Friend asks would be tantamount to revoking the Order for all practical purposes. The Order is essential for carrying out the Pleuro-pneumonia Act. If I understand the question of my noble Friend aright, he proposes to bring cattle to sales from all parts of the country, in several instances from parts adjacent to those where pleuro-pneumonia is already in existence.

*THE MARQUESS OF HUNTLY: No; certainly not. On the contrary, I should desire to be very careful that no animals should be brought from an infected circle.

EARL CADOGAN: But, under such circumstances, it would be impossible for the Board to say that any sale could be held without risk of infection. Certificates might be asked for cattle which had been exposed to danger, though apparently healthy, and the Board would not be justified in granting licences to place outside a scheduled district cattle which had been exposed to that danger. I may mention that for purposes of breeding the Board have already indicated their willingness to give special movement orders for pedigree bulls to be transferred from one district to another, but only after special examination, and in special cases.

*THE MARQUESS OF HUNTLY: The last part of the noble Earl's answer really comprises all I ask with regard to pedigree bulls; but in the North we cannot understand what has to be done. That was the very object of my question. Perhaps the noble Earl will promise that directions or orders will be promulgated, so as to inform pedigree breeders what is required?

EARL CADOGAN: I am afraid, from information which I have received from the President of the Board of Agriculture, that I can give no promise whatever to the noble Marquess, nor can I hold out any hope to him that his request will be acceded to.

TRAMWAYS ORDER IN COUNCIL (IRELAND) (ATHENRY AND TUAM RAILWAY) BILL. (No. 19.)

House in Committee (according to order); Bill reported without Amendment; and to be read 3ª to-morrow.

CUSTODY OF CHILDREN BILL. (No. 18.)

SECOND READING.

Order of the Day for the Second Reading, read.

THE LORD CHANCELLOR: My Lords, in moving the Second Reading of this Bill I ask your Lordships' patience for a few moments while I mention a few facts in connection with the measure as it originally passed your Lordships' House and with its fate in another place. A Member of your Lordships' House, whom I regret not to see present (the Earl of Meath), originally brought the question forward; and in the address which he delivered to your Lordships upon it he established, certainly to my satisfaction, and I believe to the satisfaction of most of your Lordships, the fact that there is an evil which requires to be remedied. But it appeared to me that the remedy proposed by the noble Earl was not altogether appropriate; it appeared to me to interfere too much with, and to shake the foundations of, the right of parental control. I certainly thought that the object aimed at by the noble Lord could be met by a simpler form of procedure. On the part of the Government, I undertook to deal with the question, and I accordingly brought in a Bill which was certainly very short and simple; in fact, I believe that some of your Lordships thought that while the Bill of the noble Earl went too far, my Bill did not go far enough. The two Bills were, in the result, referred to one of the Standing Committees, and were there very fully considered. Forty-five Peers attended upon that Committee, the conditions certainly were calculated to add weight and authority to its proceedings, and there can be no doubt that the Committee were actuated by a desire to amend the law. For two days, I think, and part of a third day, the deliberations of that Committee were conducted, the matter being very freely discussed among persons representing different religious opinions, but all the Peers in attendance being desirous of amending the law in a direction which would get rid of the evils which undoubtedly exist. The result of their deliberations was a Report which was adopted unanimously, and with a slight alteration, moved by myself, lest the existing state of the law with regard to the discretion of the Court should be interfered with by the language used in the Bill, and preserving therefore the right of the Court to consider the wishes of the child itself, the Bill recommended by the Committee passed this House by the unanimous vote of your Lordships. In the House of Commons the right hon. Gentleman the leader of the House, when the Bill was brought on there for consideration, had entered into an engagement with the Members of that House that contentious matters should not be introduced at that period of the Session. Although a considerable number of Members of the House of Commons were in favour of the Bill, it was felt that at that period of the Session, and after the pledge that had been given by the Government, it was impossible to proceed with it, and it was dropped. I regret that that result should have happened, and I believe that the occurrence of the intervening period has been fraught with great mischief. It is one of the results of the discussion of a subject of this kind, followed by an ineffectual attempt to legislate, that opportunity is presented to people to take advantage of the state of the law that has been disclosed. The evils disclosed were monstrous, and such as undoubtedly and urgently demanded a remedy. It was evident that the parental rights which the common law have given were being grossly abused, and in some instances for proselytizing purposes by Societies in the interests of one religion or another. It might be said for both sets of proselytizers that they endeavoured, at all events, to promote the moral and social welfare of the children whom they took into their charge; and, perhaps, it is only natural that they should desire to give to children that religious education which they believed would be of most advantage to them. But what can be said for parents who, by the hypothesis upon which alone the Bill could be applicable to them, have abandoned every parental duty, and only strive to make use of their parental rights for the purpose of extorting money from those who have rescued their children from wretchedness, and sometimes from sin and vice? Apart, however, from the proselytizing aims of any Society, there are a number of benevolent and charitable people who have no other aim than that of rescuing children from miserable surroundings, and seeing that they are properly cared for; and these people are also made the victims of abandoned parents, who have sometimes demanded to have their children given back to them for the vilest of all purposes, with the object of extorting money, or else that the parents themselves might derive pecuniary advantage from the wages that their children might be capable of earning from the training they have received. I believe that the Bill as it is now settled, moulded as it has been by the deliberations of the Committee, simply gives to the children of the poor the same kind of protection that the Court of Chancery extends to the children of the rich. It is obvious that the Bill is most urgently demanded from the facts which have been made public from time to time, and which come to me now from day to day, that efforts are being made by the most abandoned parents to resume possession of children under such circumstances that no one could say they were just either to the children or to society, or that in justice or truth such parents ought to have the power to exercise the Common Law right given them. Under these circumstances, I cannot forbear from pointing out that those who prolong the existing condition of things incur a very grave responsibility, and that they are acting contrary to the unanimous opinion of a Committee, including men of all shades of politics and of different religious beliefs. The origination of this measure cannot be attributed to one side in politics, and certainly not to one side in religion. It is a distinctly serious and an almost awful consideration that a few narrow-minded persons should, by their opposition, delay the passing of a wholesome and necessary piece of legislation. My Lords, I thought it right to make these observations, that the Bill should not pass without something being said to show the urgent need of the matter being dealt with; and I hope the Bill will now receive the unanimous approval of the other House, and that those who have obstructed it will see that by continuing to do so they will be incurring a very serious responsibility before the country in delaying a wholesome and necessary reform.

The Lord Chancellor

Moved, "That the Bill be now read 2ª."—(*The Lord Chancellor.*)

*LORD THRING: My Lords, I desire to make a few observations upon this Bill, in which I take the deepest interest. I think that the Lord Chancellor is entitled to the thanks of society for the manner in which he has taken up the Bill and pressed it upon Parliament through its several stages. I know that I am liable to be regarded as a philanthropic faddist; but I do not care about that in this instance, although I am not one of those who are in favour of benevolent legislation, or who think that people can be converted from wickedness to goodness by Act of Parliament. What I do say is this: that where there is an existing law which is shown to interfere with a course of action which is beneficial to many of Her Majesty's subjects, and to the most helpless class of Her Majesty's subjects, I trust your Lordships will not be deterred from repealing that law immediately. Now, what are the circumstances under which this Bill is brought forward? What are the cases to which it applies? It applies principally to two classes of children: the deserted children found in workhouses, and the waifs and strays, the "gutter-children," as they are often called, who may be picked up by benevolent persons in the street. What is the case with regard to the deserted workhouse children, those poor deserted workhouse children, who have never known anything but the monotonous orderly dulness of a workhouse, who have really never felt any individual existence? In every well-managed union they are put out to foster-parents under the guidance of a committee, and it was shown before a Committee upon which I had the honour of sitting, of which Lord Kimberley was Chairman, that those foster-parents are almost invariably kind to the children entrusted to them; that they usually take the greatest care of the little beings until they are able to be put to some employment; and that they look after them during their after life if not interfered with. But what usually happens is that when one of these little children who have been rescued and trained up to the age of 15 or 16 is able to earn a small wage, the parent who has never shown any care for his child demands that it shall be returned to him, and it is very often taken back to misery and ruin. Take the case of the little waifs and strays. They are taken charge of by kind and benevolent people, are clothed, maintained and educated at the expense of those people, sometimes with the knowledge and at the voluntary action of the parents, while sometimes they are children whose parents cannot be found, and who are in the position of deserted children. Here, again, the same thing happens. The time arrives when these poor children can earn wages, and they have to be delivered up again to their wretched abandoned parents under this wicked and cruel law. What possible objection can there be to repealing this law? Surely in the case of workhouse children, who have been maintained and clothed at the expense of the public, the community has a right to say the entire expenditure which has been bestowed upon them shall not be wasted, and that something shall be done to ensure that they shall be brought up in the course in which they have been educated at the expense of the State! Take, again, the case of the waifs and strays: is it right that kind and benevolent people should at the very moment when the child is in the greatest danger at the age of perhaps 15 be deprived of the control over that child? Is that right or just, or for the benefit of the community? From all we can learn from a book by Mr. Booth—not General Booth's *Darkest England*—but a book upon the condition of the East End of London, it seems that often the only hope of saving the children is to take them away and keep them from their parents, and to bring them up under ordinarily good conditions. The money and the effort that has been expended upon a child in so far helping to make it a useful member of society should not be thrown away by restoring the child to the custody of those from whose cruelty, neglect, and bad example it has been rescued. Is it the object or intention of the law that these poor children should be handed over to degradation and ruin? Surely not. What possible harm can be done by preventing it? I have been told that the measure is an attack upon the home, and upon parental control. The "home," forsooth! What has been the home of these children of the workhouse? How can that home possibly be invaded? What has been the home of the waifs and strays? The streets. Are the streets a home to which we are bound to pay any regard? It is idle to talk of the parents' "home" when the only home of these rescued waifs and strays has been the streets. Then, again, with respect to parental control. I have heard one individual talk of the desecration of the Fifth Commandment. Is there any command, divine or human, which lays an obligation upon any one, even upon these poor children, to honour and obey their drunken and profligate parents, who have never discharged anyone of the duties of parents? Then the last argument I have heard is that with regard to religion as it is called. Really I think it is a mere mockery to say that any religious differences should be allowed to interfere with the saving of these poor children. Is is not better that a child should be brought by even the most bigoted sect that can be found in England, but in morality and decency than that it should be allowed to be placed in surroundings of immorality and indecency? But even if there were a chance of the father's religion being disregarded, or if it is necessary that in such cases the father's inalienable right, as they call it, to have his child educated in a particular religion, should be maintained with so much strictness, all I can say is that the Bill safeguards it, and provides that the duty shall be imposed of seeing that the child shall be brought up in the religion which its parent may require it should be brought up in. I do not pretend to say that this Bill is a great or comprehensive or heroic measure, but it is a measure which, as the noble and learned Lord on the Woolsack has said, is most urgently needed. It is a Bill which will give heart to those benevolent persons of whom everybody has heard, whom those who sat upon the Sweating Commission or the Poor Law Commission know, and to those societies of good and kind people who are working obscurely yet earnestly and diligently, who give their time, their money, and their thoughts, throughout the length and breadth of this land, in reclaiming the abandoned children of the poor. I say it is a Bill which cannot do harm; that it is a measure which must do much good; and I trust your Lordships will give such an assent to it that in the other House of Parliament it will meet with that attention which I am sorry to say it did not receive during last Session.

LORD HERSCHELL: My Lords, I should like to say a word or two to add my hearty support to the measure which has been introduced by my noble and learned Friend. It is difficult to see how there can be any controversy as to the principle underlying this legislation. It assumes, what surely is known to be the fact, that a parent may so conduct himself towards his child as to shock all right feeling. When a parent has abandoned or deserted his child, has cared nothing for it, and has left it to be cared for by others, it is outrageous that he should be allowed to go before a Court and say, "Although I have neglected every duty which I owed to my child, and although to deliver it up to me now will be most disastrous to the child, still I have a legal right to the custody of the child, that custody I will have, and you must give it to me." Can anyone maintain such a proposition thus barely stated, and say that ought to be law? All that this legislation proposes to do is that, where the Court is satisfied that a parent has so behaved as to disentitle him to the custody of the child, it shall have power to refuse its aid to procure the delivery of that child back to the parent. The only objection which I have heard raised is that which arises out of what is sometimes called the religious difficulty. I believe that this difficulty may be greatly exaggerated; and it seems to me absurd to suppose that your Lordships cannot so safeguard this legislation as to meet that difficulty, and yet carry out this beneficial change in the law. I do not believe that, on account of the religious difficulty which may arise in one case out of a vast number of instances, your Lordships will leave the children unprotected, and compel the Courts to deliver them up to parents who ought not to have the custody of them. That is a proposition which surely, it seems to me, it is difficult to insist upon. If the present safeguard in the Bill is not sufficient, suggest additional safeguards; but I would call the attention of those who are pressed with this difficulty to the fact that this religious question was very fully discussed in the Standing Committee of your Lordships' House, and that the provisions of the Bill as they now stand were inserted on account of that difficulty, and met with the full assent and approval of those who were pressed by that difficulty, and who urged it upon the Committee. As that difficulty—the only difficulty, as it seems to me—has been met, I can see no reason why the Bill should not speedily become law. Again I say, if the present provisions and safeguards are not sufficient, in the opinion of any of your Lordships, to meet what is called the religious difficulty, by all means amend them; but do not let that objection stand in the way. Those who, on account of this difficulty, delay or render impossible this beneficial legislation, will, in my opinion, take upon themselves an enormous responsibility, and I would only add that the very religion whose name they invoke imposes upon them the highest possible duty of suggesting provisions which may be deemed sufficient.

THE LORD CHANCELLOR: Since I addressed your Lordships just now, several cases have been put into my hands which have occurred recently, and which my noble Friend is anxious should be quoted. I do not know that I need read the particulars of them, but in each case the child who had begun to support itself in respectability and with intelligence had been taken from the place where it had established itself. In the last case—I think I had better quote more of the particulars, taking one example out of many — a father had deserted his six children. He was sent to prison, and when the man came out he began to live with another woman. The father brought back two girls, of 12 and 14 years of age, to live with this woman, whom he had taken instead of his wife, and to look after their illegitimate children.

On Question, agreed to; Bill read 2a accordingly; and committed to a Committee of the Whole House on Thursday next.

House adjourned at five minutes past Five o'clock, till To-morrow, a quarter past Ten o'clock.

HOUSE OF COMMONS,

Monday, 2nd February, 1891.

UNOPPOSED MOTIONS.

ENDOWED CHARITIES (CUMBERLAND).

Return ordered—

"Of the Digest of Endowed Charities in the County of Cumberland, the particulars of which are recorded in the books of the Charity Commissioners for England and Wales, but are not recorded in the General Digest of Endowed Charities in that county, 1864-5 (in continuation of Parliamentary Paper, No. 433 (17), of Session 1868)."—(*Mr. James William Lowther.*)

ENDOWED CHARITIES (DERBY).

Return ordered—

"Of the Digest of Endowed Charities in the County of Derby, the particulars of which are recorded in the books of the Charity Commissioners for England and Wales, but are not recorded in the General Digest of Endowed Charities in that county, 1869-70 (in continuation of Parliamentary Paper, No. 25, of Session 1873)."—(*Mr. James William Lowther.*)

ENDOWED CHARITIES (NORTHAMPTON).

Return ordered—

"Of the Digest of Endowed Charities in the County of Northampton, the particulars of which are recorded in the books of the Charity Commissioners for England and Wales, but are not recorded in the General Digest of Endowed Charities in that county, 1870-2 (in continuation of Parliamentary Paper, No. 25 (1) of Session 1873)."—(*Mr. James William Lowther.*)

ENDOWED CHARITIES (SURREY).

Return ordered—

"Of the Digest of Endowed Charities in the County of Surrey, the particulars of which are recorded in the books of the Charity Commissioners for England and Wales, but are not recorded in the General Digest of Endowed Charities in that county, 1861-3 (in continuation of Parliamentary Paper, No. 433 (14), of Session 1868)."—(*Mr. James William Lowther.*)

EAST INDIA (SCARCITY IN KUMAON AND GARWHAL).

Address for—

"Copies of, or extracts from, Correspondence relating to the scarcity which prevailed in the Kumaon and Garwhal districts of the North-Western Provinces in 1890."—(*Mr. Howorth.*)

QUESTIONS.

SCOTCH SALMON FISHERY RIGHTS.

MR. FRASER-MACKINTOSH (Invernessshire): I beg to ask the Lord Advocate whether he is aware that much dissatisfaction prevails in Scotland in consequence of the alienations in recent years of the Crown rights to salmon fishings in Scotland; and whether he is now in a position to state the intention of Government in reference to the Report and Recommendations of the Committee appointed to inquire into these Crown rights?

THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.): I am not aware that much dissatisfaction prevails in Scotland in consequence of the alienations in recent years of the Crown's rights to salmon fishings in Scotland. The evidence given before the Commissioners does not disclose the prevalence of dissatisfaction on this subject, and the Commissioners report that—

> "The Commissioners of Woods and Forests have acted judiciously in disposing by sale of some of the fishings of which they had previously ascertained the average value by letting under tender; and that in their opinion no injury was done to the public in disposing of what is not a property held in trust by the Crown for the public, but part of the *patrimonium* of the Crown, to the owners of lands *ex adverso* the fishings."

In reply to the second paragraph, Her Majesty's Government have not had the opportunity of considering the question in conjunction with the Secretary for Scotland owing to his Lordship's illness; but I may point out that, as regards the recommendations relating exclusively to Crown fishings, the Committee were not unanimous, and that one out of the three members of the Committee expressed himself as decidedly opposed to any exceptional treatment of Crown fishings—an opinion in which he is supported by a considerable number of witnesses who appeared before the Committee, and by several of the District Fishery Boards, who have since memorialised the Government on the subject. The recommendations of the Committee as to enforcing the removal of illegal fixed engines and the removal of natural obstructions which impede the passage of salmon to the spawning grounds are clearly desirable in the interest of the public at large; and, when an opportunity occurs for introducing a Bill to amend the Scotch Salmon Fishery Acts, these recommendations will not be lost sight of.

ELECTORS IN THE SCOTCH CROFTER COUNTIES.

MR. FRASER-MACKINTOSH: I beg to ask the Secretary to the Treasury whether, if moved for, he will grant a Return, limited to the Crofting Counties of Scotland, showing, first, the number of Parliamentary electors in each parish; and, second, the number of electors in each parish entitled to vote in the election of School Boards?

*THE LORD AVOCATE (Mr. J. P. B. ROBERTSON, Bute): I see no difficulty in the way of giving a Return of the Parliamentary electors in each of the parishes referred to. In regard to the Return of School Board electors, a separate roll of such electors is not always necessary in small parishes; and so far as possible, in order to save expense, the drawing up of such a roll, even where necessary, is postponed until it is certain that the election will be contested. Where such a separate roll is drawn up, it may be done either by the assessor or by the School Board officials. I shall, however, be glad to give a Return in those cases where the separate roll has been actually drawn up. This could not, however, be done until the elections have taken place.

H.M.S. *SANS PAREIL*—THE 110-TON GUN.

MR. GOURLEY (Sunderland): I beg to ask the First Lord of the Admiralty whether it is correct that, when under trial, one of the 110-ton guns of the *Sans Pareil* was hopelessly disabled, after firing the third round with reduced charges; if so, can he state the cause; and whether, seeing that other similar big guns on the *Victoria* and *Benbow* have proved failures, it is intended to abandon guns of this calibre, or replace them with Krupp guns similar in type to those supplied to the Italian Government, and which have already stood a test of 200 rounds without the slightest indication of any defect whatever?

*THE FIRST LORD OF THE ADMIRALTY (Lord G. HAMILTON, Middlesex, Ealing): It is not true that one of the 110-ton guns of the *Sans Pareil* was hopelessly disabled after firing the third round with reduced charges, as the gun has since fired six rounds with *maximum* service charges. The gun in question is still under proof, and has not been as yet accepted into the Service. The other guns of this calibre in the *Victoria* and *Benbow* have not proved failures, and it is not intended to abandon guns of this calibre, or replace them with Krupp guns similar in type in the three ships in which these guns are mounted. The information which has reached me gives a very different account of the performance of the Krupp gun to the statement of the hon. Gentleman.

ITINERANT MUSICIANS.

MR. JACOBY (Derbyshire, Mid.): I beg to ask the Chancellor of the Exchequer whether he would take into consideration the advisability of requiring all itinerant musicians to take out licences, such licences to be subject to endorsement by Superintendents of Police in respect of any breach of any bye-laws or regulations affecting such street musicians?

*THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's Hanover Square): I would remind the hon. Member that it is not really the function of the Chancellor of the Exchequer to impose taxes for social purposes; taxes are imposed only for the purposes of raising revenue. If it be desirable for police purposes that licences should be taken out by the people alluded to—who, although I daresay they inflict excruciating torture upon some persons, yet to other persons do afford a limited amount of enjoyment—it would be for the Home Office, and not for the Exchequer, to move in the matter.

THE VALUATION (METROPOLIS) ACT.

MR. BAUMANN (Camberwell, Peckham): I beg to ask the Secretary of State for the Home Department whether his attention has been drawn to the fact that no less than 567 appeals under "The Valuation (Metropolis) Act, 1869," are entered for trial at the approaching Quarter Sessions for the County of London, 18 of which are appeals by the London County Council, one being a test case involving the rating of some 4,000 hereditaments, and that the trial of the said appeals, which, under Section 42, Sub-section (13), of the Act must be determined before the ensuing 31st of March, now devolves, by the Local Government Act, upon Sir P. Edlin, the Chairman of the Quarter Sessions for the County of London; whether he is aware that the London County Council have refused to increase the salary of Sir P. Edlin, although the criminal business of the Quarter Sessions has, by the Local Government Act, been increased by one-third, and the trial of all assessment appeals transferred to it; whether, having regard to the enormous importance to the ratepayers of London of the re-assessment of the Metropolis, he will take steps to re-constitute the old Court of Assessment Sessions, and charge the salary of the Chairman of the same upon the Consolidated Fund, and thus make him completely independent of the London County Council, whose appeals he is required to adjudicate upon; and whether, having regard to the action of the London County Council, he will advise that the salary attaching to the office of Chairman of Quarter Sessions of London shall be supplemented, on public grounds, from the Consolidated Fund, as was the case prior to the passing of the Local Government Act?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): By the Local Government Act the trial of the appeals referred to devolves upon the Quarter Sessions of the County of London, and can take place before the Chairman or before his deputies. The old Court of General Assessment Sessions could not be re-constituted without an Act of Parliament; and its revival, if possible, would not be expedient. I am aware that, although Sir P. Edlin's duties have been largely increased by the Local Government Act, there has been at present no increase made in his salary. I am not prepared to act on the suggestion in the last paragraph. It is hardly accurate to say that before the Local Government Act Sir P. Edlin's salary was supplemented out of the Consolidated Fund. He had a fixed salary, of which one-half was charged on the Consolidated Fund and one-half on the County Rate. Parliament decided by the Local Government Act that the whole of the salary shall be paid out of the County Fund.

ARMY PENSIONS—CASE OF J. HIGHAM.

MR. LAWSON (St. Pancras, W.): I beg to ask the Secretary of State for War whether he can state why a pension is refused in the case of John Higham, who enlisted in the Royal Horse Guards at Regent's Park Barracks in 1848, aged 19 years; served 12 years and 19 days; was willing to re-enlist, but was refused on account of bodily injury; and left with a good conduct badge; and whether similar applications have been rejected in the same way without any reason being given?

THE FINANCIAL SECRETARY TO THE WAR OFFICE (Mr. BRODRICK, Surrey, Guildford): John Higham claimed his free discharge from the Army in 1860, before he had completed the minimum service required by the Regulations to qualify him for any pension. There is no record of his having been refused permission to re-enlist, nor of his having any bodily injury. Pension after so short a period of service can only be granted when a soldier is discharged for injuries received in the Service.

THE LATE DUKE OF BEDFORD.

MR. COBB (Warwick, S.E., Rugby): I beg to ask the Secretary of State for the Home Department whether he has yet ascertained from the Coroner if the statement, which he furnished for the information of the House, truly represented the facts as to the inquest upon the late Duke of Bedford; whether he has been informed that, in this case, the usual practice was departed from, and that upon the notice card in the Coroner's office, which, for the information of the public and the Press, gives the dates, places, times and numbers of inquests to be held, no reference of any kind was made to the inquest in question; whether it is the custom to use a notice card until the notices extend to the bottom of the card, and if in this case the notice card, although not filled up with notices, was removed on the afternoon of the day of the public announcement of the suicide, and destroyed, and another card substituted; and whether he will cause a thorough investigation to be made into all the circumstances, in order that the public may know upon what official in the Coroner's office the blame rests?

MR. MATTHEWS: The question implies a charge of untruthfulness against the Coroner, which on his behalf I am bound to repudiate. The statement which he furnished truly represented the facts. The usual practice was not departed from. The card was filled in, as is customary, and the inquest in question was referred to on the card, the place and date of holding it being mentioned. The notice card never mentions the name of the deceased. It was not removed before it was filled. The hon. Member is probably not aware that by law it was absolutely in the discretion of the Coroner, if he thought proper, to hold the inquiry in private. I am not aware that any blame attaches to any official in the Coroner's office, and I should not be justified in making any further investigation of the kind suggested.

*MR. COBB: If I can prove to the right hon. Gentleman's satisfaction that the statement which the Coroner made to him for the information of the House is not true, will further inquiry be made into the matter?

MR. MATTHEWS: Of course, I shall listen with the greatest attention to any proof that the hon. Member tenders to me, and I shall act upon my judgment in reference to it.

POSTAL FACILITIES.

SIR FREDERICK MAPPIN (York, W.R., Hallamshire): I beg to ask the Postmaster General whether it is the practice of the Post Office authorities to deliver letters only three times a week in a parish situated six or seven miles from a town containing more than 300,000 inhabitants; and whether he will re-consider his decision declining to afford better postal facilities for the parish of Bradfield, near Sheffield, on the ground that the cost would exceed the revenue derived from the letters delivered?

*THE POSTMASTER GENERAL (Mr. RAIKES, Cambridge University): In reply to the hon. Member, I have to state that it is the general practice of the Department to provide for an official delivery of letters six days a week in rural districts wherever the number of letters to be delivered warrants the cost. In some cases, where the houses are very scattered and the letters few, the delivery is restricted to three days a week, and the district referred to in the question is one of these. The expense even now incurred in maintaining the three days post to the district of Bradfield is considerably in excess of the revenue derived from the letters delivered, and I regret that I do not feel justified in incurring further expenditure.

PIRACY IN THE CHINESE SEAS.

MR. A. E. GATHORNE-HARDY (Sussex, East Grinstead): I beg to ask the Under Secretary of State for Foreign Affairs whether he can give the House any information as to the plunder of the steam ship *Namoa* by pirates near Hong Kong, in December last, and the murder of her captain; whether any of the pirates have been brought to justice, and how soon after the arrival of the *Namoa* the Government were able to send a gunboat in pursuit of the pirates; and whether it is intended to present to Parliament any Papers or Reports on the occurrence?

THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir J. FERGUSSON, Manchester, N.E.): Reports have been received from the Commodore on the station and the officer administering the government of Hong Kong of the seizure of the *Namoa* by Chinese pirates who had embarked in her, when about 50 miles from Hong Kong on the 10th of December. The captain and a German gentleman, named Paterson, in the employ of the Chinese Customs Department, and two quartermasters were killed and the second officer slightly wounded. The pirates took possession of the ship, and having got together property estimated at over $20,000 disembarked into junks off the coast of China and escaped. The *Namoa* then returned to Hong Kong, where she arrived on the morning of the 11th of December. H.M.S. *Linnet* started on the morning of the 12th to endeavour to trace the pirates, and appears to have received all possible assistance from the Chinese authorities. Nothing, however, was ascertained, and she returned to Hong Kong on the evening of the 13th. The Admiral on the Station, who subsequently arrived, despatched two of Her Majesty's vessels to endeavour to discover the whereabouts of the pirates. The result of these further investigations is not yet known. Papers can be laid before Parliament if desired, but it would be better to await further news.

THE LEEWARD ISLANDS.

SIR THOMAS ESMONDE (Dublin Co., S.): I beg to ask the Under Secretary of State for the Colonies what are the reasons which have induced the Colonial Office to advise Her Majesty to disallow the Act to amend the constitution of the Leeward Islands, which passed the Federal Council of the Colony of the Leeward Islands in February, 1890; and, if this Act has not been disallowed, what are the reasons which have prevented the passing into law, and the proclamation in the Colony, of an Ordinance which formed the most important item in the Governor's Address to the Leeward Islands Federal Council in the Session of 1890, and which was introduced by the Attorney General of the Colony, and carried by the votes of both the nominee and the official members thereof?

THE UNDER SECRETARY OF STATE FOR THE COLONIES (Baron H. de WORMS, Liverpool, East Toxteth): The Bill to amend the constitution of the Leeward Islands was reserved for the signification of Her Majesty's pleasure. It has not been disallowed; but the Secretary of State considered that supplementary legislation by the Island Councils was required before the Royal Assent could be given to it, and when that legislation has been passed the Secretary of State will be prepared to advise assent to the Constitution Bill.

SIR THOMAS ESMONDE: I beg to ask the Under Secretary of State for the Colonies if he is aware that the Provost Marshal of the Presidency of Dominica, in the Colony of the Leeward Islands, has been engaged for several hours each day during the months of October, November, and December last, in selling the houses and lands of over 1,000 peasant proprietors for default under the House and Land Tax Ordinance; and that for want of bidders at these official sales the President's clerk has been detailed to buy in such houses and lands for the Government; and that, owing to these sales, an impetus has been given to emigration from the Island of Dominica to the French settlement of Cayenne, and to the Republic of Venezuela; and whether, under these circumstances, the Secretary of State will instruct the Governor of the Leeward Islands to reduce or abolish this tax?

BARON H. DE WORMS: The Secretary of State has received no information from the Governor of the Leeward Islands as to the matters referred to by the hon. Baronet; but his attention has been called to the fact that the Official Gazette of Dominica contains a large number of notices of sales of leases and land for default in payment of Land and House Tax. The Governor will be called upon for a Report on this tax, and until that Report is received the Secretary of State is not prepared to say what instructions he will give.

SIR THOMAS ESMONDE: I beg to ask the Under Secretary of State for the Colonies if it is a fact that, while the gross value of the exports from the Island of Dominica is given as amounting to £65,000 annually for all products, the revenue exacted by the Government is £22,000, or one-third of the yearly production; and, if these figures are incorrect, what are the correct for revenue and exported produce respectively for the year just ended; and whether it is the intention of the Secretary of State to sanction any further loans on the local revenue of Dominica for public works, the interest and sinking fund of which will have to be provided by increased taxation?

BARON H. DE WORMS: Returns have not been received of the revenue of Dominica or of the gross value of exports from the Island in 1890. The estimated revenue for 1890 was £21,482; the average value of exports for the ten years ending in 1889 was £54,752; and the average revenue for the same period was £18,345. The Secretary of State has not been asked to sanction any further loan for public works.

ARDCHATTAN AND MUCKAIRN SCHOOL BOARD.

MR. CALDWELL (Glasgow, St Rollox): I beg to ask the Lord Advocate whether it is the case, as stated by the School Board of Ardchattan and Muckairn, that on 26th January last there were only 19 children on the roll of the

Episcopal school, and only 13 in actual attendance that day, four of these being the children of the teacher recently appointed, who came to the district about a month ago, whilst the School Board had been informed that one of the 19 had gone to the Board school; and upon what authority was the statement made in the communication by the Secretary of the Scotch Education Department to the School Board of 22nd ult., that "there are 38 children on the school register of the Episcopal school?"

*MR. J. P. B. ROBERTSON: The School Board of Ardchattan and Muckairn, in a letter of 27 January, state the attendance at the Episcopal School as it is given in the question of the hon. Member. My Lords have no further information in regard to this; but I may point out that the decision of the Department to recognise the school was based upon the statements before them at the time when that decision was arrived at. In May, 1890, the promoters of the school stated that there were 38 on the registers; and in July of the same year the School Board returned the number as 40. The letter of the Secretary of the Scotch Education Department of 22 January did not make the statement referred to in the question. The words of the letter are as follows:—

> "It was distinctly asserted—and in regard to this the extract from the minutes of your Board proves the existence of a discrepancy which ought easily to be cleared up—that there are 38 children on the school registers of the Episcopal School instead of the 16 named by your Board."

The hon. Member has thus, I presume through inadvertence, omitted the substantive part of the sentence from which he quotes, and his question thus seems to ascribe to the Secretary of the Department an assertion which, on the face of that sentence, was not made by him, but was cited by him as showing the existence of a discrepancy which ought easily to be cleared up.

TITHES.

MR. R. FARQUHARSON (Aberdeenshire, W.): I beg to ask the President of the Board of Trade whether, when the Tithes Bill, now before the House, becomes law, the plate, pictures, and furniture, and personal effects of a landowner will be liable to be distrained upon for tithes; and whether, if such is the case, he will be willing to introduce into the Bill a clause providing that nothing but agricultural produce shall be subject to distraint for tithe?

*THE PRESIDENT OF THE BOARD OF TRADE (Sir M. HICKS BEACH, Bristol, W.): The question can only relate to tithe rent-charge due from an occupying owner. The Bill now before the House makes no alteration in the law as to the goods which are liable to distraint for tithe rent-charge, and I do not propose to make any alteration in that law. I cannot give an authoritative exposition of what the law is; but I may say that, if the owner of the land liable to tithe rent-charge were fortunate enough to be possessed of plate and pictures, and he was distrained on for tithe rent-charge, they might be in considerable danger.

INTIMIDATION IN SCOTLAND.

MR. CRAWFORD (Lanark, N.E.): I beg to ask the Lord Advocate if he can inform the House whether the conviction of Robert Smith, in the Edinburgh Sheriff Criminal Court on 26th January for intimidation by using threats, is to be brought under the review of the High Court of Justiciary; and whether, if it is not, he will lay upon the Table a Copy of the indictment and of the sheriff substitute's charge to the jury?

*MR. J. P. B. ROBERTSON: I have, as yet, had no official intimation; but I am otherwise led to believe that the conviction referred to in the question of the hon. Member is to be brought under review of the High Court of Justiciary.

THE LOCAL TAXATION (CUSTOMS AND EXCISE) ACT.

COLONEL HAMBRO (Dorset, S.): I beg to ask the President of the Local Government Board whether the money placed at the disposal of County Councils, under "The Local Taxation (Customs and Excise) Act, 1890," was intended to be so employed as to benefit the agricultural labourer equally with the artisan?

*THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE, Tower Hamlets, St. George's): The Councils of Counties and County Boroughs are empowered, in their discretion, to apply the moneys which are placed at their disposal under "The Local Taxation (Customs and Excise) Act, 1890," for the purposes of technical education, under the Technical Instruction Act, 1889. That technical education is intended to include not only technical instruction but manual instruction, and the latter comprises instruction in processes of agriculture.

THE COAL MINES ACT.

MR. FENWICK (Northumberland, Wansbeck): I beg to ask the Secretary of State for the Home Department whether he is aware that the examiners appointed under "The Coal Mines Act, 1887," in the Newcastle-upon-Tyne and Darlington districts, require from those who desire to be examined for first-class certificates that they must have served five years either as overman or underviewer before they can sit for such examination; and whether such restriction is in accordance with the provisions of the said Act; if so, under what section?

MR. MATTHEWS: Yes, Sir; the fact is as stated. I am advised by the Law Officers of the Crown that the restriction is one that the Board of Examiners have a right to impose under Sub-section 2 of the 24th clause of the Act.

MR. FENWICK: Will the effect of that restriction be to leave out 99 per cent. of the men otherwise qualified; and is the right hon. Gentleman prepared to propose legislation to remedy the grievance?

MR. MATTHEWS: The result may be as the hon. Member has stated, and I confess it rather startled me; but I have taken the opinion of the Law Officers of the Crown, which is embodied in my reply to the hon. Member's question. I am not prepared to propose any legislation on the subject. The Examiners have the confidence of the House and the country.

VACCINATION.

MR. FENWICK: I beg to ask the Secretary of State for the Home Department whether he is aware of the fact that a lad named Arthur Brownjohn, who was engaged at the Clarendon Press, Oxford, with a view to his becoming an apprentice in the classical composing department, on making application to the medical officer for a certificate of physical fitness, as required by the Factory Act, was refused such certificate on the ground that he had not been vaccinated; and whether the medical officer is justified in withholding the certificate on such grounds; and, if so, whether he is prepared to advise the Government to amend the Law in this respect?

MR. MATTHEWS: No, Sir. The certificate was not refused by the medical officer, but signed in the usual way. It was stated in the "Remarks" column of the form that the lad was "unvaccinated." The Controller of the Clarendon Press considered this to be an insufficient certificate, and refused to employ the lad.

NOTES FOR SILVER.

SIR WILLIAM HOULDSWORTH (Manchester, N.W.): I beg to ask the Chancellor of the Exchequer whether or not he has power, without fresh legislation, to permit the issue of notes representing four or eight half-crowns, instead of issuing the silver coins themselves?

MR. GOSCHEN: No, Sir. I have no such power.

MADRID INDUSTRIAL CONFERENCE.

MR. HOWARD VINCENT (Sheffield, Central): I beg to ask the Under Secretary of State for Foreign Affairs if any results have yet attended the International Industrial Conference, held at Madrid last year, and particularly as regards the extension in Foreign countries of the legislative measures adopted by Her Majesty's Government against false marking, the counterfeiting of British trade designations, and in furtherance of honest trading?

SIR J. FERGUSSON: The projects submitted by the Madrid Conference for the approval of the respective Governments were designed to be concluded on the 14th of October last; but an extension of that period till the 14th of April next has been requested by certain Governments in order to enable them to give the subject more careful consideration. Communications on the subject are now in progress, and it is hoped that the above-mentioned extension of time will not be over-passed.

BUSINESS OF THE HOUSE—CHARITABLE SCHEMES.

MR. COBB: I beg to ask the First Lord of the Treasury whether, in the interests of the health and convenience of the Members and officials of the House, he will endeavour to make arrangements by which Addresses to the Crown relating to Charitable Schemes may not be considered after 12 o'clock, but may be brought on immediately after Private Business?

*THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): I am exceedingly anxious to consult the convenience of Members and of officials of the House, but I think that the hon. Member will see that the suggestions which he makes are impracticable. The procedure with regard to Addresses to the Crown relating to charitable schemes is regulated by Standing Order of this House, and I should hesitate to suggest an alteration of the Standing Order, which would seriously curtail the time either of the Government or of private Members. My personal experience shows that on Tuesdays and Fridays there would be opportunities for bringing forward such schemes at an early hour.

REPRINTS OF PARTLY CONSIDERED BILLS.

MR. ROBY (Lancashire, S.E., Eccles): I beg to ask the First Lord of the Treasury whether he will arrange for the distribution to the Members with the Votes of a reprint, from time to time, of such portions of a Public Bill as have been amended in Committee, without waiting for the whole Bill to have passed through Committee?

*MR. W. H. SMITH: In cases of Bills of great importance the suggestion made by the hon. Member has been adopted, and a reprint is circulated with the votes indicating the progress made; but I think that it would be inconvenient to adopt the rule with reference to all Bills, as it would involve a considerable addition of labour and expense.

IRELAND—THE LAND PURCHASE ACTS.

MR. T. M. HEALY (Longford, N.): I beg to ask the Attorney General for Ireland in how many cases has Lord Waterford, when selling land to tenants under the Purchase Acts compelled them to reserve to him rights of game, hunting, fishing, and sporting generally; how many agreements containing such reservations have been sanctioned altogether by the Purchase Commissioners; do some of the London Companies conveyances under the Purchase Acts contain reservations of mines or quarries; and will the Government either deal comprehensively with such questions, or void all covenants whereby the landlord merely sells to the occupier the right of agricultural possession, and still retains to himself other privileges attaching to the fee simple?

THE ATTORNEY GENERAL FOR IRELAND (Mr. MADDEN, Dublin University): The Land Commissioners report that in the cases of 74 out of 230 holdings sold upon the estate of the Marquess of Waterford the rights of game and fishing were reserved. These reservations appear to have been agreed upon between the contracting parties in the cases of all holdings adjacent to the demesne of Curraghmore, where the vendor resides, and upon mountain holdings in the same district where there were game. The Commissioners are unable to state the number of the agreements referred to in the second paragraph; but they point out that such reservations must be made in all cases in which the landlord himself holds under a fee farm grant containing those reservations, or where the shootings or fishings were leased. The Commissioners see no objection to a residential landlord, or a landlord having an estate with valuable sporting rights, contracting with his tenants for the reservation of such rights upon sale; but they are of opinion that in the cases of sales of ordinary agricultural holdings or non-residential estates these reservations should not as a general rule be made. In the cases of the estates of the Salters' and Skinners' Companies there are such reservations, these companies themselves being subject to them in their grants from the Irish Society. In the cases of the Drapers' and the Fishmongers' Companies, who appear to have acquired these rights by conveyance from the Irish Society, there are no such reservations.

MR. T. M. HEALY: I beg to give notice that I shall move an Amendment to the Land Purchase Bill to make such reservations impossible.

IRISH TITHEPAYERS.

MR. PENROSE FITZGERALD (Cambridge): I beg to ask the Chancellor of the Exchequer if he would state what portion of the annuity of £4 9s. per cent. which is charged to Irish tithepayers for a term of 52 years for loans for the redemption of tithe rent-charge under "The Irish Church Act Amendment Act, 1872," represents, or is required, for the purpose of a Sinking Fund, and what is (accordingly) the rate of interest reserved or charged by the Treasury on such loans; and in cases where the tithepayer desires during the currency of the 52 years' term to redeem the outstanding instalments of his annuity, or where he is compelled to redeem them under the Irish Land Purchase Acts, what is the rate of interest allowed to him in the Table for the Redemption of Outstanding Instalments adopted by the Irish Land Commission?

MR. GOSCHEN: If my hon. Friend will put down the question for to-morrow I shall be able to give a clearer answer to it.

COUNTY CESS IN KERRY.

MR. FLYNN (Cork, N.): I beg to ask the Attorney General for Ireland whether he seen a report of the last Land Sessions in Kenmare; is he aware that the county cess of Kerry amounts to 4s. in the £1, and that the extra police force in the county is the cause of the high county cess; and whether he will consider whether this extra police force is now necessary?

*MR. MADDEN: I am informed that, according to the Presentment Book for last Assizes, the county cess of Kerry averages 4s. 3d. in the £1. The portion for the police tax is about 9d. in the £1. The authorities responsible for the preservation of the peace of this county are unable at present to recommend any reduction in the number of the extra force serving there, but they hope to be in a position to do so within the next two or three months.

IMPRISONMENT OF MR. LONG.

MR. FLYNN: I beg to ask the Attorney General for Ireland if he can explain why Mr. Long, editor of the *Nationalist* paper, has been lately removed from Clonmel Gaol to Kilkenny Gaol; and whether, at the former place, the prisoner was entitled to visits from members of his family?

*MR. MADDEN: I am informed that the usual practice is that, in any case where the connections or associations of a prisoner with a district are such as, in the opinion of the General Prisons Board, to be calculated to interfere with the due maintenance of discipline in the local prison, his transfer to another prison is made. On this general principle the transfer referred to was made. Both at Clonmel and at Kilkenny Prisons, Mr. Long, being a bail prisoner, was and is entitled to receive visits under the rules governing that class of prisoners.

MR. FLYNN: Has not Mr. Long been removed from Clonmel to Kilkenny Gaol in order to deprive him of the visits to which he is entitled? Has not that been the object of his removal?

*MR. MADDEN: No, Sir.

MR. P. NULLY.

COLONEL NOLAN (Galway, N.): I beg to ask the Attorney General for Ireland if the Lord Lieutenant has received Memorials pointing out that Mr. P. Nully, of Mayo, was imprisoned for 10 months before the date of his second trial, and that a Crimes Act jury disagreed at his first trial; if the Lord Lieutenant has been informed that the nearest relation of Mr. Nully is very old, ill, and not likely to survive for any long period; and if, under these circumstances, the Lord Lieutenant will be pleased to advise Her Majesty graciously to permit that the 10 months' imprisonment suffered by Mr. Nully shall be allowed to reckon as part of his sentence?

MR. MADDEN: A Memorial on behalf of the convict mentioned and of the nature indicated, has recently been before the Lord Lieutenant. His Excellency has decided that the law must take its course, and the memorialist has been so informed.

RAILWAY FROM TUAM.

Colonel NOLAN: I beg to ask the Attorney General for Ireland if the construction of a railroad from Tuam has been delayed, owing to the Bill for it having failed to reach the House of Lords before the Christmas Recess; and if in consequence there is likely to be no employment in that neighbourhood until the railway authorities have agreed with the landowners; if such an agreement generally requires three months; and if, in the meantime, he will be pleased to recommend the institution of a few works, under the Relief of Distress Act, at Tuam and Milltown?

Mr. MADDEN: The Tuam and Claremorris Railway Bill has been read a second time in the House of Lords, and will, I hope, become law in a few days. The experience of the Government in connection with other light railway projects leads to no such conclusion as that suggested in the second paragraph. The Government would be very glad to see work started on this line of railway. Inquiries are proceeding as to the condition of the Tuam Union.

POSTAL ARRANGEMENTS IN DUBLIN.

Mr. CONWAY (Leitrim, N.): I beg to ask the Postmaster General whether the seven hours system has been introduced into all Civil Service Departmental offices in Dublin, except the General Post Office; and whether it is intended to introduce it there; and, if so, when?

*Mr. RAIKES: As soon as the Government has arrived at a decision in the matter, proper notice will be given to the persons concerned, and the hon. Member may rest assured that every care will be taken to respect existing interests.

IRISH NATIONAL TEACHERS.

Mr. CONWAY: I beg to ask the Chancellor of the Exchequer whether the Rules for the establishment of a fund for the widows and orphans of Irish National teachers have received the sanction of the Lords Commissioners of Her Majesty's Treasury; and, if not, will he state what has caused the delay?

*Mr. GOSCHEN: The Rules have been referred for revision to a Conference of Actuaries, and when the Report is received it will be considered without further delay.

DISTRESS IN IRELAND.

Mr. FLYNN: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland what Report has been received from the Local Government Board Inspector in respect to the amount and nature of the destitution prevailing in the Kanturk (County Cork) Union; and whether anything has yet been done with regard to the opening of public works in the district?

Mr. MADDEN: A Report of the character indicated in the question has been received from the Inspector, and is now under consideration.

Mr. FLYNN: I will put a further question upon the subject to-morrow.

Mr. ARTHUR O'CONNOR (Donegal, E.): I beg to ask the Attorney General for Ireland whether he has had brought to his notice the representations made to the Innishowen Board of Guardians as to the extreme distress existing in the congested district of Urris, and whether there is any immediate prospect of employment being afforded to the people, in order to avert the necessity of giving gratuitous relief?

Mr. MADDEN: Representations regarding distress have been received from the Innishowen Board of Guardians. The condition of the district is being inquired into.

Mr. ARTHUR O'CONNOR: I beg to ask the Financial Secretary to the Treasury whether there is any, and, if so, how much money over and above what is appropriated for the construction of the Killybegs and Glenties lines, available for similar purposes in other parts of Donegal?

The SECRETARY to the TREASURY (Mr. Jackson, Leeds, N.): If, in addition to the agreements already made, the Glenties, Achill, and Collooney lines be constructed, the whole of the funds available under the Act of 1889 will be absorbed, and there will be no surplus for any other lines.

LABOURERS' COTTAGES IN OSSORY.

Mr. ARTHUR O'CONNOR: I beg to ask the Secretary to the Treasury whether the scheme promoted by the Roscrea Board of Guardians for building two labourers' cottages in the Booris in Ossory Electoral Division, and one in the

Electoral Division of Moneenalassa, was, on the Report of the Local Government Board Inspector, sanctioned by the Privy Council; whether the Board of Works have written to the Guardians stating that they could not send down an arbitrator to value the three half-acre plots and assess the compensation to be paid to landlords and occupiers until a sum of £30 was lodged on that account, but that they would not undertake that that sum should cover the expenses of the arbitrator; and if he could explain why the fee charged for valuing one and a half statute acres should be almost equal to the price of the land?

MR. JACKSON: I believe the facts are as stated in paragraphs 1 and 2 of the question, and I am making inquiries.

POSTAL ARRANGEMENTS IN CORK.

MR. MAURICE HEALY (Cork): I beg to ask the Postmaster General whether his attention has been called to the recent Report of the Cork Chamber of Commerce and Shipping with reference to the postal arrangements of the City of Cork, in which complaint is made of the action of the General Post Office Authorities in not supplying a sufficient number of experienced sorters, in consequence of which the in-coming morning mail is not delivered in time in the city to permit of replies being despatched by the outgoing mid-day mail; and whether this state of things will be remedied?

***MR. RAIKES**: In answer to the hon. Member, I have to state that an addition to the Sorting Force at the Cork Post Office has just been made for the purpose he describes, and I have no reason to believe that anything further is needed. I will, however, make inquiry in the matter, with a view to ascertaining how the new arrangements are working.

MOTION.

ELECTORAL DISABILITIES BILL.

On Motion of Mr. Attorney General, Bill to remove certain Disabilities of Persons by reason of absence to be registered as Voters at Parliamentary and Local Elections, ordered to be brought in by Mr. Attorney General, Mr. Solicitor General, and Mr. Long.

Bill presented, and read first time. [Bill 182.]

ORDERS OF THE DAY.

TITHE RENT-CHARGE RECOVERY BILL.—(No. 110.)

COMMITTEE.

Bill considered in Committee.

(In the Committee.)

Clause 3.

(4.10.) **MR. H. GARDNER** (Essex, Saffron Walden): In the absence of the hon. Member for Carnarvon (Mr. B. Roberts), I beg to move the Amendment which stands in his name, which provides that in cases where the tithe rent-charge is to be remitted on more than two-thirds of the annual value of the land the rent shall be assessed under Schedule A, and not under Schedule B, as proposed in the Bill. I think that this alteration will be of great service, especially in those hard cases in which the tithepayers require to be assisted. If the Bill is allowed to pass as it stands, it will give a large advantage to the tithe owner without a commensurate advantage to the tithepayer.

Amendment moved, in page 3, line 10, to leave out "B" and insert "A."—(*Mr. H. Gardner.*)

Question proposed, "That 'B' stand part of the Clause."

*(4.12.) **THE PRESIDENT OF THE BOARD OF TRADE** (Sir M. HICKS BEACH, Bristol, W.): I hope to be able to convince the hon. Member opposite that he has not considered the effect of his Amendment. I think that by giving a concrete case I can convince the hon. Member that this Amendment could not be adopted. If a farm is let for £90 a year, after the passing of this Bill it would, of course, be let tithe free to the tenant. Supposing that the farm were liable to a tithe of £75, there would be a margin of only £15 rent for the landowner—I am taking an extreme case. The assessment to Schedule A would therefore be £15; and under this proposal, by the substitution of Schedule A for Schedule B, the tithe rent-charge could not exceed £10. Supposing another farm also let at £90 a year, the tithe rent-charge being £39, leaving a margin of £51 for assessment to Schedule A; under this pro-

posal the landlord would have to pay a tithe rent-charge of £34. That will show the injustice of such a proposal.

(4.15.) MR. F. S. STEVENSON (Suffolk, Eye): I would advise my hon. Friend not to insist upon the Amendment; but I do not think the second instance given by the right hon. Gentleman comes within the extreme cases of the proposed clause.

*SIR M. HICKS BEACH: I did not say that it would. My point is, that in such a case the tithe rent-charge payable would, under this Amendment, be more than three times as much as in a case where twice the amount of tithe rent-charge was due.

MR. F. S. STEVENSON: Unless some concession is made by the Government, I think the arguments used against the Bill on Thursday were very forcible. The practical relief, however well it may look in theory, would in numerous instances be nothing at all.

After a few words from Mr. G. OSBORNE MORGAN (Denbighshire, E.), which were inaudible in the Gallery, the Amendment was negatived.

*(4.20.) MR. C. W. GRAY (Essex, Maldon): The object of the Amendment which stands next, in my name, is to provide that the value of farm buildings, when their value exceeds 10 per cent. of the annual value of the land, shall not be included for the purpose of ascertaining the annual value of the land under Clause 3. My contention is that if the Amendment is not agreed to, the clause will work great injustice to the small farmers. I will give an instance of two small farms lying close together, the land of both being of exactly equal quality, but the buildings good in the one case, and old and dilapidated in the other. Where the buildings are old and dilapidated this crumb of relief will be given, but where the buildings are good there will be no relief whatever. I do not think it is possible to defend an arrangement of that sort. The proposal will be a direct premium against spending money on a farm. I admit that, theoretically, relief will come both to small and large farms, but in practice the effect of the clause as it stands will be to give relief in a certain number of cases to large farms, but none to any number of small farms worth thinking of. The tithe, as now assessed, goes far beyond the intentions of the donors of the tithe. This Amendment will remove what is an undoubted injustice in the clause, and I therefore hope it will be accepted by Her Majesty's Government. As a rule the commutation of land on which buildings stand has followed very nearly the value of the labouring fields. At any rate the tithe upon land on which buildings stood in 1836, certainly never included for one moment the value of the bricks and mortar. Under this clause, however, the value of the buildings will be included. It may be said that I am asking for relief for men who are the proprietors of houses and buildings, and who may, therefore, be presumed to be not very poor men. I have, however, not been influenced by any such consideration. Of course, one would be even more inclined to grant relief to poor men than to rich men, but the question has never been in my mind. I do not care whether the owner of a farm that will be affected by the clause is rich or poor, whether his buildings are good or bad, or whether his farm is well stocked or badly stocked. I simply say that, having shown that the position of the tithe has now gone far away from the intentions of the original donors, or of the Act of 1836, such an Amendment as this is necessary. It is a just and a fair proposal, and if it is not agreed to it will be very difficult indeed to prove that this Bill is one of concession or compromise. We are told that the clergy are anxious to compromise, the agriculturalists in the Eastern Counties have suffered loyally and patiently, and have paid their tithes like honest Englishmen, and, rather than see this clause stamped with the approval of the House as being a fair adjustment between the two contending parties, I am almost sure that, if my Amendment be rejected, I shall, on the Report stage, move that all this clause be set aside.

Amendment proposed, in page 3, line 11, after the word "mentioned," to insert the words—

"Exclusive of the annual value of any buildings, unless such value does not exceed 10 per cent. of the annual value of the land."—(*Mr. Gray.*)

Question proposed, "That those words be there inserted."

*(4.34.) SIR M. HICKS BEACH: I always listen with very great sympathy to my hon. Friend, because I know he honestly and sincerely feels the case he presents to us on this Bill, and his Amendment now is really only intended to benefit the small farmer. But I would venture to submit to my hon. Friend that the principle of this Amendment is really inconsistent with the view on which the clause is based, and which, as far as I have hitherto understood, he shares equally with myself—namely, that the relief to be afforded by the clause should be afforded in those cases where the annual value of the land has been so much reduced in proportion to the tithe, as to make the tithe a burden beyond the point named in the clause. My hon. Friend wants to relieve those cases which really require relief. I would point out to him that the cases which really require relief are not those which would be mainly affected by this Amendment. Compare the case of a farm with the ordinary farm buildings upon it with the case of another small farm on which the owner had erected a large house, and had added by that process enormously to the value of his land, and, therefore, to the security of the tithe rent-charge. The second case is exactly one in which my hon. Friend would by his Amendment give relief, for he would provide that the value of the country house should not be calculated at all, except to the extent of 10 per cent., and, therefore, property which would be far more valuable than the farm property in the first case would be less liable to tithe, as the farm property would not be relieved by the proposals of my hon. Friend. I think my hon. Friend has not considered his proposal sufficiently from this point of view, and I hope he will not press it.

(4.38.) MR. H. R. FARQUHARSON (Dorset, W.): I am sure my hon. Friend's Amendment was intended to apply to agricultural land and not to suburban land, or land used for building purposes. I wish the Committee to remember that if the farm buildings of England have enormously improved during the last 50 years it is because of the Tithe Commutation Act of 1836. By that Act the landlords of England were given to understand that if they laid out thousands of pounds in improving their properties the tithe owners in the future should derive no advantage from their outlay. Under cover of that Act the agricultural buildings of the country have enormously improved. Now, 50 years afterwards, the House is asked to reverse the policy which has hitherto been pursued. I must say I think that unless this Amendment is agreed to, a very great wrong will be done to the landowners of England, and a very great injustice to the tithepayers.

*(4.40.) MR. G. OSBORNE MORGAN: I would suggest to my hon. Friend the Member for Maldon that if he would add the word "agricultural" before "buildings" to his Amendment, it would completely meet the objection of the President of the Board of Trade.

*MR. S. T. EVANS (Glamorgan, Mid): It seems to me a pity that inasmuch as the House has been treated to Tithe Bills for five successive Sessions, hon. Gentlemen who champion the cause of the tenant farmers have not some figures to submit to show how the Bill will work out, and how it ought to work out in the cases they refer to. I observe, moreover, that the name of the right hon. Gentleman the Minister for Agriculture (Mr. Chaplin) is on the back of the Bill, and I should think that since he has been appointed to his important office, he should be in a position to enlighten the House as to the condition of things in the eastern counties. Up to now we have heard nothing save that there is a good deal of suffering there. We on this side of the House, who hold different views from hon. Gentlemen opposite, have had nothing tangible in the shape of statistics put before us for our enlightenment. I have listened to the observations of the hon. Member for the Maldon Division, and I do not suggest that he should withdraw his Amendment. On the contrary, I would ask him to show the zeal he feels in the interest of the tenant farmers by dividing the Committee. No doubt he will be supported by the hon. Member for West Dorset (Mr. Farquharson), but for my part I think the argument is altogether against the Amendment.

Question put, and negatived.

(10.42.) MR. LABOUCHERE (Northampton) rose to move the following

Amendment: In page 3, line 14, at end of Sub-section (1) insert the words —

> "And in such case the rent of the tenant, if the land be let, shall be reduced by a like amount."

THE CHAIRMAN: Order, order! This Amendment is outside the scope of the Bill.

(10.43.) MR. LLOYD - GEORGE (Carnarvon, &c.): I rise to move the following Amendment: In page 3, line 14, after the word "recoverable," to insert the words—

> "Provided always that the tithe owner shall, if aggrieved by any such assessment, have the same right of appeal against the said assessment as the owner or occupier of the said lands now possess."

I feel I am right in stating that under the Bill, as it now stands, a tithe owner has no right of appeal against the assessment. He may feel himself aggrieved to the extent of £20 or £30, but he has no right of appeal to the Commissioners. I think this is an Amendment which will recommend itself to the Government and the Committee generally. At any rate, I should like to hear what the right hon. Gentleman the President of the Board of Trade has to say about it.

Amendment proposed, in page 3, line 14, after the word "recoverable," to insert the words—

> "Provided always, that the tithe owner shall, if aggrieved by any such assessment, have the same right of appeal against the said assessment as the owner or occupier of the said lands now possess."—(*Mr. Lloyd-George.*)

Question proposed, "That those words be there inserted."

*(4.44.) SIR M. HICKS BEACH: Our view in preparing the clause was that there was no need for the representation of the tithe owner in this way, for anyone who is accustomed to the proceedings of the Income Tax Commissioners knows how excessively keen the surveyors are to keep up the assessment. Well, to do that is the object of the tithe owner, therefore, the interests of the tithe owner are safeguarded without giving him special power of appeal.

*(4.45.) MR. S. T. EVANS: It is true that it is to the pecuniary interest of the Surveyor of Taxes to keep up assessments: but in the case of the tithe assessment, I doubt if he will have the same controlling power over the Commissioners as he has in the case of the Income Tax. The Surveyor of Taxes is now directly interested in keeping up the assessment; but we have suggested that the Commissioners may be interested in keeping down the assessment, and it is a question whether the Surveyor of Taxes will in future be stronger than the Commissioners, and will be able to counteract their desire to keep down the assessment.

*(4.46.) MR. G. OSBORNE MORGAN: Should not both the parties have the same power to appeal—the tithe owner as well as the tithepayer?

*SIR M. HICKS BEACH: I will undertake to consider this point before the Report stage.

Amendment, by leave, withdrawn.

(4.47.) MR. LLOYD-GEORGE: I now move to insert, after Sub-section 3—

> "If in any case the owner of the tithe rent-charge, or the owner or occupier of the land, is dissatisfied with the annual value so ascertained as aforesaid, either of them may appeal to the County Court Judge of the district in which the lands are situate, who may, on such application, determine such annual value, or appoint a valuer to ascertain the same."

My reasons for moving this Amendment are these: I do not consider that the Commissioners are an impartial tribunal in these cases, for the reason that they are Justices of the Peace, residing in the locality and having property in the locality. I happen to know a case in point in the particular district in which I reside. All the Commissioners there are land owners who would be interested in keeping down the value of the tithe, and also the assessment of property. In one case with which I am acquainted, valuable property belonging to the Chairman of the Commissioners, was assessed at £80, whereas a similar property, belonging to a gentleman who was not a Commissioner, but who happened to be a Nonconformist, was assessed at £120. Representations were made by this gentleman to the Commissioners in London. They considered it a strong case, and sent down a Special Commissioner to investigate the matter, and the result was that the Chairman of the Local Commissioners had the assessment of his property raised from £80 to £200. There was another Commissioner who had under-valued his property by assessing it at £70. A Government Commissioner was sent down, and it was found that the value of the property was £160. Another case was that of a gentleman who was very fond of talking of the predatory characteristics of Radicalism. He assessed his own property at £25; but when a Government Inspector came to investigate the matter, he discovered that the value of the property was £45, so that in two of these cases the Commissioners assessed their property at half its value, and in the other case at nearly half. When we have such facts as these before us, a tribunal of this kind cannot be considered impartial, and there ought to be some authority on the spot to whom the tithe owner can appeal for justice if he thinks he is wronged. I think I am right in saying that in at least two of the Bills introduced by the Government to deal with the tithe question, an appeal—or rather an application—was allowed to be made by the tithe owner to the County Court. The County Court was to have been the authority for inquiring into the value of these lands; and, I must say, it appears to me more in consonance with the proposals of the Government themselves, that the County Court should be the appellate authority rather than the Commissioners.

Amendment proposed, in page 3, line 38, after Sub-section (3), to insert the words—

> "If in any case the owner of the tithe rent-charge, or the owner or occupier of the land, is dissatisfied with the annual value so ascertained as aforesaid, either of them may appeal to the County Court Judge of the district in which the lands are situate, who may, on such application, determine such annual value, or appoint a valuer to ascertain the same."—(*Mr. Lloyd-George.*)

Question proposed, "That those words be there inserted."

*(4.52.) THE ATTORNEY GENERAL (Sir R. WEBSTER, Isle of Wight): The Amendment of the hon. Gentleman raises three questions. As to the question of Appeal, as the President of the Board of Trade has pointed out, there is already in existence a machinery for appeal, namely, the Income Tax Commissioners; and we think that that machinery should be adopted. The hon. Member opposite says that in previous Bills we allowed appeals to the County Court, but he must be good enough to remember that different questions are now raised to those raised under the previous Bills. Under the previous Bill the rents and profits had to be ascertained independently. It was a matter of valuation, and we adopted the tribunal we thought best fitted to deal with it. Therefore, having adopted Schedule B of the Income Tax in this Bill, we have given an appeal to the Income Tax Commissioners. As to the constitution of the tribunal, which the hon. Gentleman objects to, it must be remembered that the Income Tax Commissioners are chosen from the Land Tax Commissioners, and that the names of the persons chosen are sent to the Members of Parliament representing the various localities in which the Commissioners are to act. Objection can, therefore, be taken to the names, and others can be suggested in their place. With regard to the appointment of a valuer, the hon. Gentleman suggests that the Local Authorities should have power of nominating him. That power already exists under Section 47 of the Income Tax Act of 1853, and has, to my own knowledge, been exercised, so that we have already the machinery for bringing local knowledge to bear on the matter which the hon. Gentleman refers to. Lastly, as to the appeal from the Income Tax Commissioners, there is now a ready appeal, and one which does not bear hardly on the appellants. The hon. Member will remember that when a person desires to appeal he asks the Commissioners to state a case, and if they do so the case is disposed of without any considerable expense. On the three points I have dealt with I think the proposal we make is the best, and for that reason we cannot agree to substitute for the appeal given in the Bill an entirely different one.

(4.56.) MR. LLOYD-GEORGE: No doubt the appointment of the valuer is in the discretion of the Commissioners themselves.

*SIR R. WEBSTER: No, it is set forth that it shall be lawful for the appellant as well as the Commissioners in any such appeal to require a valuation to be made.

MR. LLOYD-GEORGE: It is in the discretion of the Commissioners, however, whether they appoint a valuer or not. They are not bound to do so.

*SIR R. WEBSTER: They are bound.

Mr. LLOYD-GEORGE: Very well, then I object that the Commissioners at the present moment are too partizan. For instance, in the locality in which I reside, the Commissioners have been appointed out of one political party and out of one denomination. Up to a recent period the locality was represented in Parliament by men of one Party, and whenever names were submitted to them they naturally favoured men of their way of thinking. I object to this political class of men, believing them to be too partial to be entrusted with these duties. As to the first point mentioned by the Attorney General—the appeal to the County Court given in the first Bills brought in by the Government—I simply mentioned that the Government themselves thought the County Court a competent tribunal for investigating the value of land.

*(4.58.) Mr. G. OSBORNE MORGAN: I do not think the Attorney General has given sufficient weight to the arguments of my hon. Friend, probably because he does not know the locality in which my hon. Friend resides. Some very strong cases were mentioned, all of which will bear investigation, as they are well founded. My hon. Friend stated a case in which a Commissioner had actually returned the value of his own property at less than half the proper amount, and another case in which a man's assessment was raised £40 because he was a Nonconformist. It is all very well to say that objection can be taken to the persons selected as Commissioners when the names are submitted. We know that, but it is an exceedingly invidious thing to take upon oneself to object to a certain name. I hold it is desirable that this matter should be removed from the region of politics, and that the present method of submitting names to Members of Parliament gives a political colour to the whole thing, nor do I know why the Government adopted the County Court as a Court of Appeal in their former Bills and do not propose to do so now. If my hon. Friend goes to a division, I shall support the Motion.

*(4.59.) Viscount WOLMER (Hants, Petersfield): Is the hon. Member for Carnarvon quite sure that the cases he has given are of assesements under Schedule B? Under Schedule A there is room for proceedings such as he mentioned. I do not see why, in the case we are considering, the attitude of the Income Tax Commissioners in the future should be different from what it has been in the past. I do not see what inducement there is which does not already exist to them to allow Schedule B to diminish and grow small. On the contrary, it seems to me that the machinery is absolutely safe-guarded at present by the rule that prevails in the counties which which I am acquainted, which is that no reduction is allowed unless it can be shown, on the production of accounts, that it is required. The present state of the law, according to my view, prevents the possibility of abuse, and I do not think his proposal is necessary.

*(5.1.) Mr. W. BOWEN ROWLANDS (Cardiganshire): I have listened with some surprise to the observations of my hon. Friend the Attorney General, as to the names of the Commissioners being submitted to Members of Parliament, and I should think other Members have listened with surprise equal to my own. On this point the arguments of the Attorney General appears to me to be somewhat unsatisfactory. The argument in favour of his contention is that we are already provided with machinery, but that existing machinery seems to me insufficient and bad. First, the fact that the machinery exists is hardly sufficient reason for denying such a tribunal as my hon. Friend proposes, when you are legislating exceptionally. Secondly, the existing machinery is shown to be lamentably insufficient. Upon the ground that the County Court has been selected by the Government as the proper tribunal to adjudicate on matters cognate to this, and secondly, as the existing machinery is open at any rate to suspicion, and has in some cases been shown to be guilty of very grave derelictions of duty, I shall support the Amendment.

(5.3.) Mr. PICTON (Leicester): I think the hon. and learned Gentleman the Attorney General mistakes the nature of the hon. Gentleman's proposition. It is intended to protect against under assessment as well as against over assessment. At present, I understand, there is a protection against over assessment, but not against under assessment.

I do hope the Government will give the tithe owner the same protection as is accorded the owner or occupier of the land.

*(5.4.) SIR M. HICKS BEACH: I think the hon. Member must have made a mistake as to the Amendment we are discussing. I think he is discussing the Amendment which the hon. Member has also placedup on the Paper, giving the owner some such protection as is asked for. That I promised to consider on Report, and I think it would be a good thing to give some protection against under assessment. Sir, I hope the Committee will not make the Judge of the County Court the judge of value. That suggestion, I know, was made by the Government two years ago, and after being made it was more fully considered, and it was felt to be a mistake. I believe the proper tribunal to judge of value is that which is customary in England, and the proper appeal from that tribunal is that which the law already provides.

(5.6.) MR. LLOYD-GEORGE: I have given three concrete instances in which the protection of the surveyor of taxes was proved to be grossly inadequate, and the same thing will occur again. At present it is the interest of the Commissioners of Income Tax to keep down the tithe rent-charge as much as possible.

*VISCOUNT WOLMER: Which schedule?

MR. LLOYD-GEORGE: I am sorry I have not got the letter of the Inland Revenue with me, therefore I am unable to quote it. I may be able to do so later in the discussion. It makes no difference whether Schedule A or B is concerned, and it is the interest of the Income Tax Commissioners to keep down the assessment as much as possible. In the cases which I have cited, it has been kept down extraordinarily, and I might point out to the noble Lord that in every instance the balance sheet cannot be employed, for I should say the case is very rare in which accounts of the produce are kept. I certainly hope the right hon. Gentleman will consent to this Amendment on Report.

(5.11.) The Committee divided:—Ayes 122; Noes 152.—(Div. List, No. 26.)

(5.23.) MR. T. H. BOLTON (St. Pancras, N.): In moving the Amendment I have placed upon the Paper, namely, to leave out Sub-section 5, I suggest that this sub-section is opposed to the policy of the Bill, and is unfair. I also move my Amendment, because it would be impossible for the sub-section to be of any practical effect, and because it would only cause confusion and unnecessary expense. The provision in the Act of Parliament, to which the sub-section refers, is the 58th section of the 6th and 7th of William IV., which provides that it shall be lawful for the Valuers or Commissioners, upon the application of the landowner, to apportion the whole of a rent-charge upon certain land to the exoneration of other land belonging to the same owner and equally liable to the rent-charge. But there is a provision to the effect that no close of land shall be charged with any rent-charge, or share of rent-charge, on account of the tithe of any other land, unless the value of the land charged shall be at least three times the value of the rent-charge. At that time, therefore, the tithe rent-charge did not exceed one-third of the value of the land. Now, if between that time and the present, the land has so depreciated in value that the tithe exceeds two-thirds of the value, surely there is a strong case for relief. The object of the whole section is, that where the tithe has practically absorbed the land, relief shall be given. It seems to me that relief is equally necessary in the case proposed to be excepted; and to put an exception of this kind in this remedial Bill, seems to me opposed to the whole policy of the Bill. I would point out to the right hon. Gentleman in charge of the Bill that there is no evidence existing in the Office of the Land Commissioners which will inexpensively enable the sub-section to be worked. When the apportionments were made (at any rate this is the result of my information upon the subject), the lands specially apportioned under Section 58 of the 6th and 7th William IV. were not distinguished—that is to say, the apportionments did not in terms provide that certain lands were charged to the exoneration of other lands, and therefore, it would be impossible to give evidence of that, except by a very laborious process. In fact, I do not know how this could be done except by going to the offices of the land agents who acted in the matter, or to the Assistant Commissioners, and raking up the old papers, if they could be got at, endeavouring in that way to make out a case. What will happen under the Bill when a claim is made for remission? Why two documents will be produced. The Tithe Award and Apportionment, showing the amount of tithe charged, and the Income Tax assessment under Schedule B. They will show the relative proportion which the tithe bears to the value of the land. So far the evidence is simple; but if you provide that relief is not to be given in cases where the tithe has been specially apportioned, in reference to which you have no means of showing what was specially apportioned, except by resort to the land agents memoranda, and other similar documents, all I have to say is that you will be introducing a provision that will lead to a great deal of litigation, trouble, and expense. The case may practically be put in this way: The tithe owner sues for the tithe, and the landowner contends that his land has been depreciated in value, and that he is entitled to the benefit of the relief to be given by this Bill. The tithe owner will then say to him: You are not entitled to relief, because the tithe was specially apportioned on the land to the exoneration of other land. The award, however, does not show this. It only shows that the tithe was charged in particular portions of the parish, and does not show what parcels of land were particularly exonerated. In this case the tithe owner will have to give the next best evidence he can obtain, which may be the evidence of the person who made the appropriation, if he is alive, or surveys, plans, declarations, statements or memoranda for what they are worth. Now, I appeal to practical men in this House as to whether that sort of evidence is not of a most unsatisfactory character, especially when it is 40 or 50 years old. It is the kind of evidence you get in right of way cases, and it is of a nature which will cause expense of a serious character. Although I do not go so far as to say the sub-section will defeat the object of the Bill, yet I do assert it will go a long way towards defeating the benefits intended to be conferred by it. I am satisfied that there is no evidence to be obtained except such as I have mentioned; it will be most expensive to get. It may also give rise to great litigation, and altogether the provision is a most undesirable one. I believe the right hon. Gentleman will appreciate the difficulty of this matter. I appeal to hon. Members to bear me out in what I say as to the practical nature of this objection to the sub-section. I know that there is a rough sort of justice in the sentiment that people on whose land the tithe was specially apportioned should not come under the benefit of this remission; but after all it is of no use, with a view to a sort of sentimental rough justice, to leave a provision of this objectionable nature in the Bill. I hope that hon. Members will agree to my Amendment, which is in no sense hostile to the Bill, but will make it practical by stopping a loophole for endless litigation.

Amendment proposed, in page 4, line 1, to leave out Sub-section (5).—(*Mr. Thomas Henry Bolton.*)

Question proposed, "That Sub-section (5) stand part of the Clause."

*(5.33.) SIR M. HICKS BEACH: I can assure the hon. Member I feel very much indebted to him for the pains which he has taken in discussing this Bill, and for the way in which he has put his special knowledge of this technical and complicated subject at the disposal of the House and of the Government. I have listened carefully to the objection which he has raised to this sub-section. I had been under the idea that the award showed whether there had been a special apportionment, but the hon. Member with his practical knowledge assures us it does not, and that the tithe owner would have enormous difficulty in obtaining the evidence necessary to prove to the satisfaction of the County Court Judge that there had been a special apportionment. As this clause would only apply to a few cases, and would have a tendency to encourage most expensive litigation, I am bound to say the objections to the retention of the sub-sec-

tion are valid, and therefore I do not intend to defend the proviso.

*(5.34.) MR. SYDNEY GEDGE (Stockport): I would ask the right hon. Gentleman whether in withdrawing the clause for the present moment, the Government retain liberty to re-introduce it, should it be found not to be beset by such difficulties as the hon. Member suggests. The clause, it will be remembered, was not contained in the Bill of last year, and in the course of the Second Reading Debate I pointed out the injustice likely to arise in cases where there had been a special apportionment. I am very much obliged to my right hon. Friend for putting it in this year, and I should be sorry indeed if the practical difficulties were found to be so great as to prevent its object being carried out.

*(5.35.) SIR J. SWINBURNE (Staffordshire, Lichfield): I hope that the right hon. Gentleman will adhere to his decision to omit the clause, which is certainly one calculated to lead to endless litigation, as well as to bad feeling.

(5.35.) The Committee divided:—Ayes 95; Noes 198.—(Div. List, No. 27.)

*(5.48.) MR. S. T. EVANS: I beg to move at the end of Clause 3 the addition of these words—

> "Or held by any Corporation or public body, or to any lands other than those used for agricultural purposes."

The sole object of this clause, according to hon. Gentlemen opposite, is to relieve those who have suffered by the agricultural depression, and therefore I hold that its benefits should not be extended to land held by a Corporation or other Public Body, which may be very wealthy. Neither should it be extended to land used for other than purely agricultural or pastoral purposes. The right hon. Gentleman the President of the Board of Trade has been good enough to show me some words the Government would be willing to accept, but they would cover lands used for the growth of underwood and timber. I venture to submit that there has been no depreciation in the value of timber or underwood, and therefore there is no reason why such land should come within the operation of this clause. Land devoted to this purpose is often used for purely ornamental purposes, and I do not think that the present tithe owners would be willing that tithe should be remitted in such cases. In order to get an expression of opinion from the right hon. Gentleman I beg to move the addition of the words I have indicated.

Amendment proposed, in page 4, line 15, at the end, to add the words—

> "Or held by a Corporation or public body, or to any lands other than those used for purely agricultural or pastoral purposes."—(*Mr. S. T. Evans.*)

Question proposed, "That those words be there inserted."

*(5.50.) SIR M. HICKS BEACH: I certainly do not see why any distinction should be made as to the ownership of land benefitting under the clause. A Corporation or Public Body includes, of course, a College, and I may ask why should land held by a College for public purposes—for educational purposes, for instance—not profit by the provisions of this clause equally with land held by private persons. I cannot think the hon. Member will attempt to defend such a distinction. If he will abandon that part of his Amendment, I shall be happy to limit the operation of this clause to land used solely for agricultural or pastoral purposes, or for the growth of timber or underwood. That would avoid the possible inclusion in the clause not only of land used for building purposes, but also of land which the owner has wasted, and in regard to which my hon. Friend the Member for South Kensington had intended to raise a discussion in Committee. But I must insist on the inclusion of land used for the growth of timber or underwood, because if the hon. Member had happened to be the owner of a coppice or wood, he would have been aware of the great deterioration in value—a deterioration as serious as that which has befallen other classes of land. If the hon. Member wishes to take issue on the first words of his Amendment, I hope the Committee will not agree to them.

*(5.52.) MR. C. W. GRAY: I am glad to find myself in accord on this point with the right hon. Gentleman in charge of the Bill. I think corporations ought to be admitted to the benefits of the Bill. I do not wish to be unfair to the tithe owner, and I think it would be unfair to let the owner of a coal-pit or

mine, who wastes the land by putting slag or rubbish upon it, reap the benefit of this clause.

*(5.54.) MR. G. OSBORNE MORGAN: Are we to understand the words are to run: "This section shall not apply to any land except that used for pastoral or agricultural purposes, or for the growth of timber or underwood?"

*SIR M. HICKS BEACH: That is the intention.

MR. PICTON: I cannot quite see what all this means. I thought these conditions were being imposed in the interests of those who have suffered from the agricultural depression, but the inclusion of timber and underwood is going beyond mere agriculture, and therefore I hope my Friend will persist in his opposition to it.

*(5.55.) SIR J. SWINBURNE: The main value of underwood is that it supplies fencing for the estate; there is now practically no sale for it, its value being so small. When the Tithe Commutation Act was passed a good price could be got for it, as there were heavy Import Duties on foreign timber, but now most of the timber used for building comes from the Baltic and America, and one of the chief uses of underwood is to protect and shelter growing crops and flocks and herds.

(5.57.) MR. J. BRYN ROBERTS (Carnarvonshire, Eifion): There is one strong reason why underwood should not be included. The object of the clause is solely to meet the changed conditions of agriculture. Now the changes have only affected corn lands, and have not affected the land on which underwood is grown. I believe underwood is worth just as much now as it was in 1836.

MR. H. KNATCHBULL-HUGESSEN (Kent, Faversham): I should not have interfered in this Debate, had it not been for the extraordinary ignorance of the hon. Member who last spoke. I can corroborate what has fallen from the hon. Baronet the Member for Lichfield, as to the immense fall in the value of underwood. In the hop counties we grow underwood, simply because it is possible to get a supply of poles, and that is its main value. Indeed it is a regular agricultural crop.

(5.58.) MR. PICTON: As we here do not possess landed estates, I think we are able to come to an impartial decision on this subject, for we do not hope to put any money in our own pockets, nor do we desire to benefit our class. It appears to me it is not the poor agriculturist whom you are relieving of the burden of the tithe, but it seems the whole tendency of the Bill is to destroy the security of the nation's property.

*(5.59.) SIR R. WEBSTER: I will give only one illustration to prove the necessity of including land used for the growth of underwood. Seven years ago underwood for hoops was worth £17 or £18 per acre; now it fetches only £5.

MR. STUART RENDEL (Montgomeryshire): I hope that with regard to the first part of his Amendment my hon. Friend will give way, but as to the latter part I trust he will divide the Committee. Underwood may be used for agricultural purposes, and its value may have greatly depreciated, but such land is not generally occupied by the poorer tenants. It is generally held by the owners of the estate, and there is therefore no necessity to include it in this clause.

*(6.0.) MR. S. T. EVANS: I am prepared to withdraw the first six words of my Amendment, but I still object to the words "or for the growth of timber or underwood." No answer has been made by hon. Gentlemen opposite, to the assertion that these words would apply to lands used for the purpose of growing timber for ornamental purposes. Although many of us on these Benches are not the happy possessors of land, we know something about underwood, as we have been able to show in the course of this discussion. Hon. Members have not advanced any *bonâ fide* argument in favour of this clause. The sole argument used in favour of the clause is that it is designed to aid those people who are suffering from agricultural depression, and notwithstanding what the Attorney General has said, no case has been made out for a remission of tithe in the case of the growers of underwood, and certainly not for the growers of timber.

*(6.2.) SIR J. GOLDSMID (St. Pancras, S.): It is quite evident the hon. Gentleman does not know as much about underwood as about tithe. I have had 25 years experience of the growing of underwood, and during the last five years we have had a depression in the sale of underwood which never before

occurred in the history of that vast produce. The underwood on land which I have had to manage used to yield, for a ten years' cutting, from £1,000 to £1,100 per 100 acres: now, an average crop of 10 years' growth is only worth from £300 to £400. Consequently you will see that when you have calculated the cost per acre—the cost of planting and maintenance—and the rates and tithes, there is less than nothing left for the owner. I could give a thousand instances in the County of Kent which have come under my personal observation during the last five years, which prove that there is a very great depression in the sale of underwood. I can also tell the hon. Gentleman of cases in which Assessment Committees have, within the last two years, reduced the rating of underwood by 60 per cent. Nothing can prove more clearly the truth of what I have said than such action on the part of Assessment Committees. I assure the hon. Member he is entirely wrong.

*(6.4.) MR. S. T. EVANS: I am obliged to the hon. Baronet for his information with regard to underwood; but then my argument as to timber is not touched at all. I fail to see why a remission should be made in the case of the growers of timber. If I bought silver some years ago, when the price was high, I do not see why now, when silver has depreciated in value, I should have my loss made up out of the public purse.

*(6.5.) SIR J. GOLDSMID: I should like to point out how extremely inconsistent the hon. Member is. The other day when the hon. Member for Maldon moved to increase the amount of reduction which was to be given by the tithe owner from one-third to one-half, the hon. Member voted for the Amendment.

*MR. S. T. EVANS: I did nothing of the kind. I voted for the omission of the words "two-thirds."

*SIR J. GOLDSMID: The hon. Member voted for the Amendment with the object of inserting the words "one-half." When the hon. Member has had a little more practical experience of Parliament he will know what hon. Members mean when they vote for the omission of words. The other day I stated that I objected not only to "one-half" but to "one-third," and that I intended to vote against the whole clause. I consider the principle of the clause wrong. But, nevertheless, if you apply it to agriculture you ought to apply it to underwood. If the hon. Member would like information with regard to timber I can give him a little. I have watched the timber market very continuously. About 15 years ago the price of oak per foot was about 3s. Five years, four years, and three years ago the price was about 1s. 6d per foot. There has been a slight rise since then, and now I should say the price is about 2s., or about two-thirds what it was 15 years ago. And oak governs all the rest of the timber trade, consequently you can easily ascertain what the relative values of the different classes of timber are. What I said about underwood is accurate. I will give the hon Member the names of the Assessment Committees if he would like to hear them. Certainly nothing has suffered so much from depression as the value of underwood.

*(6.8.) MR. G. OSBORNE MORGAN: The argument of the hon. Baronet (Sir J. Goldsmid), as indeed all the arguments against the Amendment, have related to timber or underwood regarded as an article of commerce. I can understand there has been depression, but it must be borne in mind that a great deal of the timber that is grown in England is grown for ornamental purposes and for sporting purposes. It seems to me monstrous that timber grown for purely sporting or ornamental purposes should be entitled to the benefit of this remission.

(6.9.) MR. H. R. FARQUHARSON: The hon. Member for Glamorganshire says the remission is granted owing to the agricultural depression. I do not understand that to be the case. We were told the other night that the remission is intended as an inducement to landlords to keep their land in cultivation. Such an inducement would apply to underwood with equal force, because landlords who find the tithe very nearly exceeding the total annual value of the underwood, will be apt to cast the underwood on the hands of the tithe owner. As in some cases, 14 years have to elapse before any profit is derived from underwood, I think the tithe owner would be a sufferer if he were to take underwood in hand.

*(6.10.) VISCOUNT WOLMER: I, like my hon. Friend (Sir J. Goldsmid), object altogether to the principle of the clause. I do not believe any case has been made out for agriculturists to have this remission given them. A great many mythical cases have been presented to us, but not an actual one. But if you admit the principle of the clause, as I understand the hon. Member for Glamorganshire (Mr. S. Evans) does, I cannot understand why you should except underwood. Hazel and ash are just as much a crop as oats or barley.

*(6.11.) MR. S. T. EVANS: There seems to be some misunderstanding as to why I supported the Amendment of the hon. Member for Maldon. My position is perfectly clear. I voted for the omission of the words "two-thirds," and reserved the right of voting as I pleased upon words which might be proposed in their place, and if the hon. Baronet (Sir J. Goldsmid) had taken the trouble to read the Amendments he would have seen I had given notice of my intention to move the omission of Clause 3 entirely.

THE CHAIRMAN: The hon. Member cannot amend his own Amendment. It would be more convenient for him to withdraw this Amendment and then propose to amend the Government's proposal.

Amendment, by leave, withdrawn.

Amendment proposed, in page 4, line 14, to leave out from the word "lands," to the end of the Clause, and insert the words—

"Other than those used solely for agricultural or pastoral purposes, or for the growth of timber or underwood."—(*Sir Michael Hicks Beach.*)

Question, "That the words proposed to be left out stand part of the Clause," put, and negatived.

Question proposed, "That those words be there added."

Amendment proposed to the proposed Amendment, to leave out the words "or for the growth of timber or underwood." —(*Mr. S. T. Evans*).

Question put, "That the words proposed to be left out stand part of the proposed Amendment."

(6.15.) The Committee divided:—Ayes 179; Noes 112. — (Div. List, No. 28.)

Words added.

*(6.25.) MR. S. T. EVANS: I now propose to add these words: "Nor to any lands except those occupied by the owners thereof." The object of this Amendment is very clear. It is, in a word, to make the clause a yeomans' clause. It is admitted on all hands that the bargain made by the landlords in 1836 was a good bargain and it cannot be shown why the landlord should be relieved from tithe. The right hon. Gentleman the President of the Board of Trade said the other evening that this clause was intended to apply to the yeomanry only. I propose to make it a yeomanry clause and nothing else. The right hon. Gentleman said the owner ought to have enough out of his land to keep it in cultivation. I would not go so far as my hon. Friend the Member for Leicester (Mr. Picton), who says that in no case ought you to make any remission in tithe. If it can be shown that the effect of keeping tithe at its present amount will be to throw land out of cultivation, that is an evil which ought to be remedied, and these words would have the desired effect as far as the land of yeomen is concerned. I claim the support of the hon. Member for Leicester, and that also of the noble Lord the Member for Darwen (Viscount Cranborne), who said the other evening that we ought not to reduce tithe by one penny, except in so far as it would prevent land going out of cultivation. Of course I shall have the support of the hon. Member for Maldon (Mr. Gray), because he speaks merely on behalf of the yeomen farmers. Let me give the Committee a few figures. Take a case in which a farm is worth £150 a year, and the tithe is £125, leaving a margin for the rent of £25. It is proposed by this clause that tithe shall be reduced to £100. The result would be to put £25 into the pockets of the landlord without benefitting anybody else. I think, therefore, the clause ought to be confined to those cases where the owner himself occupies.

Amendment proposed, in page 4, to add, after the words last added, the words "Nor to any lands except those occupied by the owners thereof."—(*Mr. S. T. Evans.*)

Question proposed, "That those words be there added."

*(6.27.) SIR M. HICKS BEACH: My argument was, and is, that there should be a sufficient margin, which is supposed to be allowed for by this clause, for keeping the land in cultivation. The hon. Member does not seem to know what is required in order that land shall be kept in cultivation. It is not merely the possession of agricultural implements or stock, or the power to pay wages; there must be besides, the keeping up of buildings, drainage, fencing, and all the other things which fall on the owner of the land, and not on the tenant. This clause proposes to make the necessary allowance to the owner of land whether he lets or occupies it. The hon Member proposes to make it penal for an owner to let his land. Does the hon. Member wish indirectly to discourage tenant farmers throughout the country? Because that would be the only practical effect of this proposal on the very class which I suppose he desires to encourage. I cannot imagine that he will persist in what would be a gross and unreasonable injustice, and I oppose the Amendment.

(6.29.) MR. C. W. GRAY: Of course, I oppose the Amendment, and I merely rise to say that the hon. Member erred in stating that my interest in this question has been merely on behalf of the yeoman farmers. I think I have made it plain from first to last that I have at heart the interests of the farmers generally.

Question put, and negatived.

Question proposed, "That Clause 3, as amended, stand part of the Bill."

*(6.33.) MR. S. T. EVANS: It is my intention to take a division against the clause, and I hope I may have the support of the noble Lord the Member for Darwen (Lord Cranborne), and others who, in their discussions, have spoken against the clause. The circumstances attending agriculture in this country have not, in any material degree, changed since 1887; and it seems to me that an argument made use of in that year by the Prime Minister in another place, goes directly to the exclusion of this clause. Upon the First Reading of the Tithes Bill introduced in 1887 the Prime Minister said—

> "There was no ground for the misconception that landlords had made a bad bargain in 1836. The bargain of 1836 was a good one for land-owners, and it remained a good one still."

Now, of course the Prime Minister would not in any case make a hazardous statement, and it cannot be that he did so in this instance, because he repeated it at another stage of the Bill when he went into the matter more fully. Replying to the Duke of Marlborough, he said—

> "He had a distinct opinion that the land-owners had no case whatever. His impression was that if anyone had to complain it was the tithe owner."

The noble Lord opposite (Lord Cranborne), it seems, holds a brief for the clerical tithe owner. The Prime Minister went on to say—

> "The whole fall had been in the price of grain, and he very much doubted if there had been any fall at all in the price of green crops or of stock. That made it all the worse for those who came into the arrangement of 1836. If there was any case at all, it was on behalf of the clergy and not against them."

Then again on another occasion, when the Bill was in Committee, the Prime Minister spoke strongly on the matter. Replying to an Amendment moved by Lord Brabourne, he said—

> "The settlement of 1836 is more advantageous to the land-owner than if he remained under the old law. The noble Lord did not make out the shadow of a case for re-opening the question of valuation and tearing up the bargain which Parliament made in 1836."

That is abundant testimony from the Prime Minister that landowners have no ground for complaint or reason for altering the bargain of 1836. I have pointed out on another occasion during these discussions that the Government abandons the Tory respect for contracts, and sweeps away contracts that are prejudicial to the interests of the landowners, while it keeps strictly to those which are beneficial to the landowner. Take the case of the lay tithe owner. Of course, on account of the object for which the Bill was introduced, to put down the tithe agitation in Wales—an object, let me say in parenthesis, the Bill will not accomplish—on account of that avowed object, the discussions have proceeded on the assumption that the main part of the tithe is received by clerical tithe owners, but, of course, there are lay impropriators. What happens in that case? A lay impropriator may have bought the tithe only last year, and yet you deduct

33⅓ per cent. from the income of one private individual and hand it over to another private individual. I do not see the justice of such a proceeding, and on that ground, and on the larger ground that no sufficient case has been made out for reduction of tithe, I propose to divide against the clause.

(6.40.) The Committee divided:—Ayes 182; Noes 103.—(Div. List, No. 29.)

(6.49.) Clause 4.

Verbal Amendments made.

(6.50.) MR. RADCLIFFE COOKE (Newington, W.): I desire to move an Amendment to line 21, as follows:—

> "And any corn-rent in lieu of tithe rent-charge paid by virtue of any Local Act which has not been converted into tithe rent-charge under the Act of 1860."

I move this in consequence of an answer I received a day or two ago when I inquired if these corn-rents would come within the operation of the Bill. I was informed by the right hon. Gentleman they would not. Now, there are many parishes in this country in which tithe rent-charge is not levied, but there are corn-rents fixed by Local Acts of Parliament. In one parish where I have a little landed interest tithe takes this form under an Act of 1795, and from that day to this the rents have been readjusted every 14 years. This Bill does not propose in any way to affect the valuation of tithe, it is merely a recovery of tithe Bill, a Bill for facilitating the securing of the tithe. In these circumstances it seems desirable that tithepayers and tithe owners, in a parish affected by a Local Act such as I speak of, should not be deprived of the benefits of the Bill. The tenant should go to the landlord and say, "In future you must pay the tithe," and the rector should be able to recover from the landowner in the County Court. I see no reason whatever why this should not be so, and I see no difficulty in practice why these corn-rents should not be under this Act. It is true that by agreement among the tithepayers and tithe owners in a parish they can come under Section 1 of the Act of 1860, and convert these corn-rents into tithe rent-charge; but in the instance with which I am familiar there seems to be no disposition of payers and owners to take advantage of that Act, nor is there any reason why they should be compelled to do so. The Bill does not affect the valuation and apportionment of corn-rents in any way, it merely gives facilities which I think ought to be availed of in these cases, and I hope on reflection the right hon. Gentleman will accept the Amendment.

Amendment proposed, in line 30, after the word aforesaid to insert the words—

> "And any corn-rent in lieu of tithe, by virtue of any Local Act of Parliament which has not been converted into a rent-charge under the Tithe Act, 1860."—(*Mr. Radcliffe Cooke.*)

Question proposed, "That those words be there inserted."

*(6.55.) SIR M. HICKS BEACH: There are hundreds of these Local Acts, and it is not too much to say that hardly two of them are identical. The circumstances vary to an extraordinary degree, and though no doubt in principle it is desirable that the same law should govern all these matters, it is in practice impossible to apply it in this way, just as it was to apply other Amendments of the Act of 1836 to all these Acts. The proper way is to take advantage of the first section of the Act of 1860. That Act provides that wherever corn-rents are payable by virtue of these Local Acts, and such corn-rents are subject to variations at certain periods, parties may apply to the Commissioners, and obtain commutation under the Act of 1836, at any time when the revision of the corn rents takes place, and in some cases this is the way these rents have been dealt with. I hope the hon. Gentleman will not press the Amendment.

(6.56.) MR. RADCLIFFE COOKE: I think the right hon. Gentleman has somewhat misapprehended the case. If it be true, as he says it is, that there are hundreds of these cases, then there are that number of parishes where the parties have not availed themselves of the Act of 1860, for some reasons that seems good to themselves. That there are so many cases still extant, shows that neither tithe owners or tithepayers desire to avail themselves of the Act of 1860. I suppose the Government considered these cases when contemplating an amendment of the Tithe Act. I may conclude they did so, and I should have thought it would have been desirable to deal with them under this Bill, without alteration in the valuation or incidence of the rents. However, as the Government refuse the Amendment, I do not press it.

Amendment, by leave, withdrawn.

*(7.30.) SIR J. SWINBURNE: I beg to move the insertion after the word "pasture" of the words "nor a rent-charge payable to any impropriator or corporation." Last Session the right hon. Gentleman in charge of the Bill gave us a notable account of the poor clergy in Wales and in many parts of England, who he said were practically starving because they could not collect their tithes. Well, I wish to restrict this Bill to the poor clergy. Why should the lay impropriator—and I am one myself—and why should the great corporations have any relief? Colleges and corporations who own enormous quantities of these tithes never lay out one farthing upon the land from which the tithes are derived. The Ecclesiastical Commissioners, who are now holding enormous quantities of land, to the great detriment of the country, because they do not know how to invest the enormous sums they have in their hands. They do nothing to improve the land, and do not contribute a penny towards drainage or building. As a matter of justice, I do not think the tithe owner should be called on to receive the tithe in a new shape, while the tithepayer should be called on to collect the tithe. At present the tithe owner is spending from 5 to 10 per cent. in collecting his tithes, even in the most peaceable districts. When the Bill passes, he will practically get them collected for him by the landowner, besides having the tithe made the first charge on the land.

Amendment proposed, in page 4, line 33, after the word "pasture," to insert the words "nor a rent-charge payable to any lay impropriator or corporation."—(*Sir J. Swinburne.*)

Question proposed, "That those words be there inserted."

*(7.4.) SIR M. HICKS BEACH: I do not know whether I rightly gathered from the speech of the hon. Baronet that he himself is a tithepayer to the Ecclesiastical Commissioners.

*SIR J. SWINBURNE: I am a tithe owner.

*SIR M. HICKS BEACH: But is he also a tithepayer to the Commissioners?

*SIR J. SWINBURNE: I do happen to be a tithepayer to the Ecclesiastical Commissioners.

*SIR M. HICKS BEACH: Well, then, this Amendment, if passed, will have the effect of preventing the Ecclesiastical Commissioners from recovering the tithe from him, and compelling them to distrain upon his tenants. I am also a tithepayer to the Ecclesiastical Commissioners, and the view of the hon. Member does not commend itself to me as just.

Question put, and negatived.

(7.5.) MR. H. R. FARQUHARSON: The object of the Amendment which stands in my name is to extend Clause 4. I propose that no notice shall be taken of rents arising from sporting rights. I think we may well ask the Government to accept this Amendment, so as to prevent the tithe owner being placed in a better position, as far as sporting rights are concerned, than he was before.

Amendment proposed in page 4, line 37, at end of Clause, to add the words—

"The expression 'rents and profits' in this Act shall not apply to rents and profits arising from any sporting rights."—(*Mr. H. R. Farquharson.*)

Question proposed, "That those words be there inserted."

*(7.6.) SIR M. HICKS BEACH: I cannot think that my hon. Friend has quite considered what the effect of the Amendment will be. If it passes, and the proprietor uses his land as a rabbit-warren, he will free himself of the tithe. That does not seem to me to be a way of meeting the present agricultural depression.

(7.7) MR. H. R. FARQUHARSON: I have, of course, anticipated that objection, but my Amendment would only apply to sporting rights, where the land is also let for agricultural purposes. These would only be exceptional cases in which the land would be turned into a rabbit-warren, and I do not think that for the sake of such exceptional cases the tithe owners of the country should be given a lien upon the sporting rights of the landowners.

Question put, and negatived.

Clause 4 agreed to.

Clause 5.

*(7.8.) MR. S. T. EVANS: I beg to move the next Amendment on the Paper, namely, to leave out "becomes payable," and insert "commences to accrue." I do not know whether the Government intend that the Act should be retrospective in its character, but legislation is not often made retrospective where the rights of parties are concerned, and that would be the effect if the clause is passed as it stands. It would be so if tithe was payable on the 28th of February, and the Bill became law on the 1st of March. I hope the Government will see their way to adopt the suggestion I have made, particularly in view of the time it would take to adopt the necessary County Court rules, and to appreciate the changes effected.

Amendment proposed, in page 4, line 39, to leave out the words "becomes payable," and insert the words "commences to accrue."—(*Mr. S. T. Evans.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

*(7.10.) SIR M. HICKS BEACH: I do not think it would be fair to say that the words of the clause make the Act retrospective. The Amendment which has been placed on the Paper by the hon. Member for Carnarvonshire (Mr. Bryn Roberts) would have that effect, but of course we cannot discuss that now. The Act would only apply as it stands to every sum on account of tithe rent-charge, which first become payable on the half-yearly tithe paying day, which comes next after the passing of the Act. That appears to me to be a fair and proper date for the commencement of the Act. The effect of the Amendment would be to postpone the operation of the Bill for six months. I think that would be in every degree undesirable. The matter has been long before Parliament, and I think every one is prepared for a change. Three months must elapse before proceedings can be taken.

Mr. H. R. Farquharson

*(7.11.) SIR J. SWINBURNE: I should like the right hon. Gentleman to bear in mind that the contract between the landlord and tenant has been torn up, and therefore some reasonable notice ought to be given to the tenant of the coming into force of a new one.

*SIR J. GOLDSMID: Is it true that tithe rent-charge becomes payable only on the 1st of January and the 1st of July? [*Cries of* "No!"] I am informed so; and, if that be the case, the suppositious case put by the hon. Member for Glamorganshire would not of course apply. This Act should be brought into force at once and no exceptions should be made.

(7.13.) MR. STUART RENDEL: If this Act were simply for the purpose of improving the process of recovery, I think the position of the Government would be one to which we should all give in. But it is really more than that. It is an Act for altering the whole *status* of tithes in the most complicated way, and no doubt landlords and tenants will require time to reconcile themselves to the new condition of things. It seems hardly consistent with the gravity of the change Parliament is contemplating, that it should come into operation with the suddenness that the Government propose. I hope the decision of the right hon. Gentleman is not final on this point. I cannot help believing that if the matters were more considered the value of the Amendment would be recognized. I hope the right hon. Gentleman will reserve this Amendment for further consideration on the Report stage of the Bill.

*(7.15.) MR. G. OSBORNE MORGAN: I think the Government can hardly have thought of the great change this Bill will effect in the relations of the parties. If it merely altered the process of recovery, it might reasonably come into operation at once; but, as has been pointed out, it does a great deal more than that, and will involve readjustments and rearrangements, which cannot be carried out without time being allowed for that purpose.

*(7.16.) MR. ROUND (Essex, N.E., Harwich): I think the hon. Baronet (Sir J. Goldsmid) is in error as to the date when tithe is due. For my part of England it is payable on the 1st of

April and the 1st of October. I should like to ask the right hon. Gentleman (Sir M. Hicks Beach) at what date this Bill will come into operation?

*SIR M. HICKS BEACH: It will come into operation on the passing of the Act.

*(7.17.) MR. S. T. EVANS: The right hon. Gentleman seems to think that the Act ought not to be retrospective in its character; but he has not answered the question I put. As it affects the relationship between landlord and tenant, I do not think the Bill ought to come into operation on its passing. I say that if tithe becomes payable on the 28th of February, and this Bill receives the Royal Assent on the next day, it will be retrospective in its character. I do not think this point has been sufficiently considered by the Government, and I press it further upon their consideration.

*(7.18.) SIR M. HICKS BEACH: Of course, any point that is raised will have the consideration of the Government, and I will consider this question further; but I am bound to say I do not at present see any reason whatever for accepting the Amendment.

Question put, and agreed to.

(7.19.) MR. J. BRYN ROBERTS: I do not intend to move the Amendment on the same point which stands in my name.

*SIR M. HICKS BEACH: I move the Amendment standing in my name.

Amendment proposed, in page 5, line 14, after the word "shall," to insert the words "as respects any sum becoming due after the passing of this Act."—(*Sir M. Hicks Beach.*)

Question, "That those words be there inserted," put, and agreed to.

Clause 5, as amended, agreed to.

Clause 6.

*(7.20.) MR. G. OSBORNE MORGAN: I now move an Amendment with the object of excluding Wales from the operation of the Bill. My reason for moving the Amendment is because we are all agreed, and have been, that it is to do away with the disturbances which have taken place in the Principality that the Bill has been introduced. The Government would never have touched the subject at all unless they had been guided by the so-called agitation in Wales; but the Bill is of such a character that instead of allaying the effects of this agitation it will add to them. Instead of assuaging the ill-feeling which exists it will embitter the relations between the Church and the Nonconformists—and goodness knows they are bitter enough already. What course will be followed in the future by conscientious Nonconformists? Why, they will refuse to pay tithes just as their fathers refused to pay Church rates. The Nonconformists have hitherto refused to pay; they decline to pay at the present time, and in the future they will continue to refuse to pay. What will the Government gain by the 2nd clause, which is the main operative part of the measure? They will be creating litigation where there was none before. As things stand at present the course of the tithe owner is clear. All he has to do is to give his notice and to distrain, but under the Bill he will have to take his parishioner into Court—and surely nothing will tend less to allay ill-feeling between a farmer and his parson than such a thing at that. And what will become of the litigation created by the Bill? When you have gone through all the processes of the County Court you will be precisely where you are now, the only difference being that whereas at present the tithe is collected by the agents of the tithe owner, they will be collected by the officer of the Court. What has happened before would happen now. The person who on principle has hitherto objected to pay will still refuse to pay, and the effect of the measure will be, not to put the Church in Wales on its legs, but to bring discredit on the administration of justice by associating that administration with the maintenance of an unpopular and anti-national Church. For those reasons it seems to me that the Bill, so far as it applies to Wales, is a mistake, and I therefore venture to recommend my proposal to the House. If English Members want the Bill, let them have it, but as to Wales it is not required, either by tithe owner or tithepayer, and fails to effect the object for which it has been introduced. I do not care to go into the matter further, as on Friday fortnight, under the Motion of which the hon.

Member for Merthyr gave notice a short time ago, we shall have an opportunity of discussing the whole question, and of showing on what a frail basis the Church in Wales rests. In the meantime, because I think the Bill will fail in the main object with which it has been introduced, I move the Amendment to exclude the Principality from its operation.

Amendment proposed, in page 5, line 18, after the word "to," to insert the word "Wales." — (*Mr. G. Osborne Morgan.*)

Question proposed, "That the word 'Wales' be there inserted."

(7.25.) MR. J. L. MORGAN (Carmarthen, W.): I do not propose to say more than a few words on this Amendment. When the Bill was read a second time I opposed it, and stated my reasons for offering opposition. Those reasons are as strong now as they were then. I ventured on that occasion to point out to the House that the Government in bringing forward the Bill would, so far as Wales was concerned—and I am dealing simply with the question of Wales now—fail in the object they had in view. I ventured to point out that the Welsh clergy when they came to understand the operation of the Bill would oppose it. Since then a large body of Conservatives and clergymen in Pembrokeshire have met together for the purpose of discussing the Bill, and I think I am right in saying that the view they took was hostile to the Bill. I put it to the Government, that in the interests of the the body they are so anxious to benefit, it would be well for them to consider whether it would not be wise of them to accept the Amendment of my right hon. Friend. The clergy in Pembrokeshire came to the conclusion that the County Court was a very unsatisfactory remedy, and one reverend gentleman—a rural dean, I think — expressed a strong feeling against procedure through the medium of the County Court. These clergymen if not very numerous were certainly very representative. They expressed very strong disapproval of the Bill, and I, therefore, put it to the Government that it would be well for them to consider even at the last stage of the measure the advisability of accepting this proposal.

Mr. G. Osborne Morgan

*(7.28.) THE POSTMASTER GENERAL (Mr. RAIKES, Cambridge University): I will imitate the example of the two hon. Members who preceded me, and will not detain the House more than a moment from arriving at a conclusion. The Committee has, I think, shown that it regards this Amendment as an exceedingly bad joke, and one that has fallen extremely flat. Anyone with any real sense of humour would, I think, have been unable to put on the Paper such an Amendment; because, really, the only light in which it can be treated is with good-humoured ridicule. The fact is pretty well known, that it was the disturbances in Wales which first called attention to the question of the tithes, and which induced Her Majesty's Government to deal with it. They have taken up the question, and have dealt with it not in a provincial way but on a national basis. They have not confined the Bill to Wales, but have made it a general measure affecting the whole country. The right hon. Gentleman opposite proposes to exclude from the operation of the Bill that portion of Her Majesty's dominions to which it seems certainly to be most applicable, and I am glad that he has shown the country in so plain and unmistakeable a manner the way in which he and his friends are disposed to treat this measure, although I am still charitable enough to believe that he and they are not perfectly in earnest in the proposal he has, at the last moment, introduced. I hope, therefore, that other hon. Members, who have conducted these discussions in a very different spirit, and who have argued the different points brought forward with great moderation, and without any undue animus or violence, will not be disposed to assist the right hon. Gentleman in the course he is pursuing. I am glad, however, that the Motion has been made, because it clearly shows the nature of the opposition the right hon. Gentleman and his friends are disposed to offer to the Bill, and that when Her Majesty's Government proposed to relieve the occupiers throughout the Kingdom from the payment of the tithe the Welsh Members on the other side of the House desire to exclude from the operation of the measure the occupiers in their portion of the country.

*(7.29.) MR. G. OSBORNE MORGAN: The right hon. Gentleman is perfectly welcome to any advantage he may hope to derive from the course I have felt it my duty to adopt; but I tell him I doubt very much whether he will find a single Member from Wales who will be found in the same Lobby with him when the Division is taken upon this Amendment. The right hon. Gentleman who lives some part of the year in Wales is not himself a Welsh Member; and I think he will find that he is absolutely unsupported by the Representatives of Welsh constituencies.

(7.30.) SIR HUSSEY VIVIAN (Swansea, District): I am glad, Sir, that at last it has been clearly and distinctly stated for the first time by a Member of Her Majesty's Government that this Bill has been in reality launched at the Principality of Wales. We have all known this for some time, but, up to the present moment, we have had no distinct declaration of the fact from the Front Bench opposite. Now, however, the avowal has been made, I quite concur with my right hon. Friend (Mr. G. O. Morgan) in asserting his belief that there is not a single Welsh Member who will vote for this Bill. For, after all, what is the Bill? It is a paternal measure, emanating from the extreme goodness of the English Government, who are endeavouring to impose their own views on the Principality. Has Wales asked for this measure? Have there been any Petitions in favour of such a Bill? I have heard of none, and I doubt whether there has been a single Petition from Wales demanding such a measure. We are accustomed, when other measures of importance are brought forward, to almost innumerable Petitions, both for and against, but in this case there has been no desire whatever on the part of the Welsh people to be legislated for in this manner, and after this Division has been taken—for I have no doubt my right hon. Friend intends to divide the Committee upon his Amendment—[Mr. G. OSBORNE MORGAN: Hear, hear!]—it will be made quite clear that the unanimous opinion of the Representatives of Wales is against the measure which is now being forced upon their country by the English Government.

*(7.33.) MR. ABEL THOMAS (Carmarthen, E.): I should like to say a word or two on this matter before the Division is taken. I quite concur in what the right hon. Gentleman who moved the Amendment has just stated, and I would add that if the right hon. Gentleman opposite (Mr. Raikes), when he next goes down to Wales, is able to find any gentleman who will be affected by this measure in favour of it, he ought to put that individual in a glass case, and bring him up here as a curiosity. In point of fact, no one in Wales desires this measure; it is not wanted by the landlords; the Welsh parson does not want it; and the tenant has no wish for it. The tenant in whose benefit, together with that of the landlord, it is to be passed, says he does not want it, and it will do him no good. If it does affect the tenant in any way it will merely be by preventing him from being able to protest against the payment of tithes, as he has hitherto done. But even then he will find a mode of protesting against this measure. I see no reason why I should alter the opinion I expressed at the time. My hon. Friend the Member for West Carnarvon, and others near me, spoke upon the subject a long time ago; and it seems to me that now, after what the right hon. Member opposite (Mr. Raikes) has said, every Welsh Member in this House will be found voting in favour of the Amendment, and against the entire principle of the Bill.

*(7.36.) MR. SYDNEY GEDGE: I only interpose in order to say that I think my right hon. Friend ought to be grateful to the hon. Member who has just spoken for having shown what is the object of the Welsh tenant farmers. He tells us that their object is to continue their protest against the Tithe Bill, I suppose in a manner which, as a general rule, involves a breach of the peace. That kind of protest will be taken away from the tenants by this Bill, and although the hon. Member says the tenants gain nothing by the measure, I think the rest of the House will agree that they will gain at least in the following particulars: First of all, the landlords will be called upon to pay the tithe rent-charge instead of the tenants; next, the clergyman or tithe owner will not be able to distrain as hitherto upon the farmer for non-payment of the tithe, but will apply to the landlords direct; and last, if the

tenant farmer has to pay the tithe under his contract instead of having to do it within 21 days he will have a period of three months. If these are not deemed vantages by the Welsh farmers they must be very differently constituted from other people in the United Kingdom.

(7.38.) MR. ABRAHAM (Glamorgan, Rhondda): I should like to ask the hon. Member who has just spoken from the Opposite Benches whether if he were asked to give up a portion of his revenues and receive nothing for it, he would be the less ready to protest against that proceeding? The Welsh Members are glad to have it avowed once for all from the Treasury Bench—[*Interruption.*] If hon. Members who interrupt me only knew what it was to think in Welsh and speak in English, they would be inclined to make more allowances for what I say. I was stating that we were glad to find it avowed from the Treasury Bench that this Bill has been brought forward with special reference to Wales. We thought so long ago, and now we find we have been right in that opinion. We now find that the disturbances in Wales have been the means of obtaining the intervention of the Government in this matter, and I should like to ask the Government in all seriousness whether it is their intention by this Bill to perpetuate as a legal right in our Principality, that which the Welsh people consider to be an extreme moral wrong. That is the difference between the Welsh tithepayers and those resident in the rest of the United Kingdom. They regard the tithe as an extreme moral wrong, because they are compelled to pay that impost irrespective of any benefit they are thereby enabled to derive. The House will probably pardon me for putting before it a few facts as to the real condition of things in that portion of the Principality where the disturbance originated. I will, in the first instance, refer to a report which appeared on the 13th of December last in the *Western Mail*, which, although a Tory paper, and therefore one which we could not expect to exaggerate on the side of the Nonconformists, is a paper which is nevertheless very fair in its reports on Welsh national questions. It says—

> "The condition of the Church in the rural districts of the Principality of Wales is anything but satisfactory."

Further on the writer refers to a paragraph that appeared in a Northamptonshire paper on the 31st of October last, respecting the National Church, and gives the population, the number of the clergy, the number of Churchmen, and the number of churches in eight districts in Pembrokeshire, one of the districts in which the disturbances first occurred. The report then goes on to say that in Bavil Parish, with a population of 140, the living was valued at £104; there were two Churchmen in the parish, the rest of the people having to go to another parish for their religious service. In another parish, with a population of 143, the living is valued at £103, there are no Churchmen at all in the parish, and the 143 individuals have to go elsewhere for religious purposes.

THE CHAIRMAN: Order, order! I do not see how this can be relevant to the question before the Committee.

MR. ABRAHAM (Glamorgan, Rhondda): With all due deference, I am endeavouring to explain that the people residing in the districts where the disturbances occurred are compelled to pay a tithe for which they receive no service whatever.

THE CHAIRMAN: That is not relevant to the Amendment now before the Committee.

MR. ABRAHAM (Glamorgan, Rhondda): Therefore, I conclude that Wales ought to be excluded from the operation of this Bill. Receiving no service at all, it is a moral wrong to place these people in a position of being compelled to pay tithes, and to lay them open to imprisonment also.

*(7.47.) MR. S. T. EVANS: Sir, I will venture to say a few words in answer to the right hon. Gentleman the Postmaster General, who, with the two hon. Members behind him, appear to know little about the Principality. The right hon. Gentleman was inclined to indulge in a little prophecy. I also will indulge in a little prophecy. The right hon. Gentleman seems to think that this Bill will put an end to the tithe agitation in Wales. It will do nothing of the kind. This Bill will be an exceedingly useful Bill to us when we become the owners of this public property, but the tenant

farmers have nothing to thank the Government for in this Bill. The Government thought to repress the tenant farmers by this Bill, and if the right hon. Gentleman were to go to Wales he would find that he had very little power of persuasion over them. The right hon. Gentleman has gone to Wales on many previous occasions, but he has not been able to bring back one Tory Member to represent the tenant farmers of that country.

(7.50.) MR. LLOYD-GEORGE: The hon. Member for Stockport has said that the farmers, in protesting against the tithes, have committed breaches of the peace. I venture to say that the hon. Member knows nothing about these disturbances, or that he has read the reports of some prejudiced paper. These tithe disturbances have been grossly exaggerated. For instance, there was a tithe disturbance lately in the County of Denbigh; a great fuss was made about it, and the military were sent to quell the rioters. They were sent absolutely without necessity. An inquiry was instituted into the facts of the matter with this result: that it was proved that no violence whatever was offered to anybody, and that the crowd at no period of the whole proceedings exceeded 100, including women and children. Yet to quell that formidable disturbance—that terrible riot—the military were called out. During the Recess I had the opportunity of witnessing tithe sales, and I never saw any disturbance. On the contrary, they were of a most orderly character. The police were represented by a constable and a superintendent, and never for a moment had the superintendent cause to regret his trust in the discretion of the people. At the end of the proceeding he thanked the people, who were protesting against the tithes, for their orderly conduct. These disturbances have been exaggerated in a most monstrous and gross manner; and I believe, as far as they are concerned, there is no necessity whatever for this Bill. Here we have been wasting a fortnight of this Session, after having waited day after day of previous Sessions, while the invaluable time of the nation has been wasted in another place, simply for the purpose of suppressing a few expressions of opinions, a few emphatic protests by the farmers of Wales against what they consider to be an injustice. Legislation for the benefit of the working classses has been postponed and blocked by a miserable Bill of this kind. This Bill should not apply to Wales, because it does remedy the evils of which the Welsh people complain. Our grievance in Wales is not that the method of enforcing the tithe is not as efficacious as it might be. We have not complained that the costs are not burdensome enough. We have not petitioned Parliament for the County Court process for the recovery of tithe. On the contrary. Our grievance is this: that tithe, which is national property, is at the present moment applied to the purposes of a sect which is the least influential and does the least work of all the religious denominations in Wales.

THE CHAIRMAN: That argument is hardly relevant to the Amendment.

MR. LLOYD-GEORGE: I submit to your ruling, Sir. I support the Amendment of my hon. Friend because there is absolutely no necessity for this Bill, and because it does not remedy the grievances of Wales.

(7.55.) The Committee divided:—Ayes 93; Noes 140.—(Div. List, No. 30.)

(8.3.) MR. H. GARDNER: The Amendment which stands in my name is to insert the word "England," and the effect of that proceeding would be to exclude England from the operation of the Bill. I do not know whether the Postmaster General will see in this proposal a secret or recondite jest, but I tell him I mean it in grim and solemn earnest. I take a deep interest in this Bill, which I may point out was never asked for by England. We have had it from the Postmaster General, whose name is on the back of the Bill, that the measure was brought forward to meet certain difficulties in the Principality of Wales, where the collection of the tithe rent-charge had led to most regrettable riots. We did not ask for the Bill in England. The Bill, which is one of a series of many which the Government have endeavoured to pass, was brought forward solely and absolutely in order to put down the riots in Wales. To use the right hon. Gentleman's, the Postmaster General's, own words, it is to facilitate the collection of tithe rent-charge. Why on earth then has it been imposed upon us? I believe the sole reason for including England was because Her Majesty's Government found it convenient to extend the operation of the Bill to the whole of England, and England has been penalised solely in order that Her Majesty's Government may not be taunted with having brought in a Coercion Bill for Wales as well as for Ireland. This, I repeat, has been done simply for the convenience of the Government. The agricultural classes in this country have for many years past supported the leaders of the Conservative Party, and I am glad that they will be able to see now in what their support at last has landed them. Tithepayers will be subjected to very great inconvenience and loss under the Bill, and it is very doubtful whether they will not be subjected to imprisonment also by the operation of the County Court clause. They certainly are put in a worse position than they were before, because a man who through religious conviction may desire to make a protest against the payment of tithe rent-charge may be subjected to imprisonment as well as fine. Will the Government give us their reasons for including England in a Bill directed against the Principality of Wales? Have there, for instance, been any riots or disturbances in East Anglia, or in any of the counties which are specially protesting against the tithe rent-charge? The right hon. Gentleman the Postmaster General knows there have not been any real difficulties such as have occurred in Wales in the collection of tithe. Then, why have the Government deliberately made up their minds, after so many years' consideration, to inflict this Bill on the tithepayers of England? I would like to ask the Minister of Agriculture, whom I am glad to see in his place, and who deservedly holds a position created solely to guard the interests of agriculture, what are the reasons which have induced Her Majesty's Government to introduce this Bill? I do not wish to make any charges against the Government, but it seems to me that the only conceivable reason is that it will increase the price of the tithe rent-charge, so that tithe owners may get it redeemed at a higher value than could be done under the Act of 1836. Remember, that a Commission is to inquire now into the question of the redemption of tithe, and it is unfair to the tithepayers of this country to introduce such a measure when the Government are going to appoint a Commission to do this. If my hon. Friends will support me I shall certainly press this matter to a Division, because the tithe owners ought not at this juncture to be placed in a position to make a better bargain than they could do under the Tithe Commutation Act of 1836. I beg to move, in page 5, line 18, after the word "to," to insert the word "England."

THE CHAIRMAN: Order, order! The Committee has already refused to exclude Wales from the operation of the Bill, and therefore the Amendment must be proposed so as to refer to England alone.

MR. GARDNER: That is what I desire.

THE CHAIRMAN: Then the Amendment will be, in page 5, line 18, after the word "to," to insert the words "England, which expression does not here include Wales."

Question proposed, "That those words be there inserted."

(8.13.) MR. F. S. STEVENSON: I think my hon. Friend's arguments might have elicited some expression of opinion from the Government, and that there should not have been simply a conspiracy of silence. What was the point of what he said? His remarks were elicited by a frank avowal altogether uncalled for from the Postmaster General that the beginning and end of this Bill both are to be found in the Principality of Wales. The right hon. Gentleman admitted that the tithe disturbances in Wales were the prime cause of the introduction of the Bill. If the Government thought it their duty to extend the Bill to England, why did they not bring in a complete measure instead of so one-sided a proposal? On the contrary, they have rejected every proposal which would widen the measure or render it more fair, with the result, as the Bill now stands, that under Clause 2 it coerces the tithepayers of Wales, and under Clause 3 it deludes the tithepayers of England. Her Majesty's Government are bound to give some reason why, having decided to upset the settlement of 1836, they have thought it necessary to extend the provisions of their Welsh Tithe Bill to England. Why did they not wait until such an extension was asked for? Cannot they see that conditions which are applicable to Wales are altogether inapplicable to England?

*(8.16.) MR. C. W. GRAY: Although I have agreed with several of the suggestions of my hon. Friend opposite, I cannot go with him when he says that this measure will place the tithepayer in a worse position than he has hitherto occupied. The Government are entitled to credit for having carried into effect the wish of the House expressed two years ago by transferring the burden of paying the tithes from the tenant farmer to the owner. So far as that principle is concerned, we must admit that this Bill has fairly carried that into effect, and I cannot, therefore, join in my hon. Friend's sweeping condemnation of it. The tenant farmers of England as a class—and, of course, we cannot expect that they will be unanimous—will, in the great majority of cases, thoroughly appreciate the change which has been made in their position, and we must therefore give the Government credit for having carried out one of the principles for which we have been contending.

(8.19.) SIR W. HARCOURT (Derby): I do not know that I entirely agree with the hon. Member who has just sat down, that credit ought to be given to Her Majesty's Government for having introduced this particular measure, seeing that the Opposition rather take credit to themselves for having twice defeated the Government Bills on this subject, and for having forced them to introduce the present measure, which in its principle is totally inconsistent with their previous measures for dealing with the tithe, and is in accordance with the principle for which the Opposition have always contended, namely, that of throwing the burden of paying the tithe upon the owner instead of upon the tenant farmer. The Bill of 1889 was a most unjust measure, for it proposed to throw the whole burden on the tenant farmers of England. We, however, opposed it, and were fortunate enough to defeat it. Then came the Bill of 1890, which also in our opinion contained many provisions which were extremely oppressive with regard to the occupiers, and this Bill we likewise defeated. The result is the present Bill, which, in point of fact, embodies the principle for which we contended, for its 1st clause transfers the liability for the tithe from the occupier to the owner. I cannot consequently vote for this Amendment, because the 1st clause of the Bill makes that transfer, and I have always said that a Bill upon these lines would receive my support. As regards the objections which we entertain to the 2nd and 3rd clauses, I will not now discuss them, for they can be debated on the Report stage.

*(8.22.) SIR M. HICKS BEACH: Hitherto I had supposed that Her Majesty's Government were the parents of the present measure, but now I find that it has the paternal blessing of the right hon. Gentlemen opposite. In these extremely agreeable circumstances, I do feel disposed to quarrel with the right hon. Gentleman the Member for Derby. It is the more pleasant to be able to agree with the right hon. Gentleman, because the right hon. Gentleman is so completely at variance with his distinguished supporter behind him The hon. Member asked why we had extended its provisions to England. I will tell him. We believe that it is a good thing that the owner shall be made directly responsible for the tithe. We believe it is a good thing that the tenant shall be free from liability to distraint for the tithe. We believe that it is a good thing that part of the tithe should be remitted in cases of extreme hardship; and we do not see why the blessings which it is proposed to confer upon Wales should not be extended to England.

MR. H. GARDNER: I shall not trouble the House by taking a Division. I wished merely to make my protest, and I now ask leave to withdraw the Amendment.

Amendment, by leave, withdrawn.

*(8.25.) MR. MORTON (Peterborough): I desire to move an addition to Clause 6 which will limit the operation of the Bill to three years. I do so because there is so much difference of opinion as to the merits of the Bill. I do not suppose it likely anyone will wish to interfere with the 1st clause; but as to the

other clauses, there may be reasons for re-considering them. After all, this Bill does not settle the tithe question, for that probably will not be disposed of until the Church question itself is settled. The Marquess of Salisbury may think that, by getting rid of the Welsh difficulty, he is quieting the whole trouble, and doing away with the odium which must attach to the Church when it puts in a distress in order to get money for religious purposes. But he is mistaken. I need not detain the House at length. I understand it is not unusual for the operation of Bills to be limited in the manner I propose, and I hope the Government will agree to my Amendment.

Amendment proposed, in page 5, line 19, after "1891," to add words, "and shall remain in force for a period of three years."—(*Mr. Morton.*)

Question proposed, "That those words be there inserted."

*(8.27.) SIR M. HICKS BEACH: It appears to me that the effect of the hon. Member's Amendment might be productive of inconvenience to his Party, because if that Party are to come into Office, as hon. Members opposite say they are certain to within the next three years, the right hon. Gentlemen who are now sitting opposite may not thank the hon. Member for plunging them into a renewed struggle over the tithe question. Should the hon. Member, however, be disposed to look at the matter from a higher point of view, I should like to point out to him that if the Bill is a good one it deserves a longer life than the limited period of existence the hon. Member proposes to give it. It would be absurd at the end of three years to revert to the old system, which we are now condemning. I hope the hon. Member will not press the Amendment.

*(8.29.) MR. MORTON: Although I do not agree with the right hon. Gentleman that I am opposing the interests of my Party in making this proposal, I do not intend to press the matter to a Division. No doubt our Party will be in Office in three years' time, and will be prepared to deal with this question at the proper time.

Amendment, by leave, withdrawn.

Clause 6 agreed to. (8.30.)

Mr. Morton

(9.1.) Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

New Clause (Power of Appeal,)—brought up, and read the first time.

(9.4.) MR. RANDELL (Glamorgan, Gower): I have to propose the addition of a clause giving an appeal on points of law or equity from the decision of the County Court. This Bill confers a special jurisdiction upon the County Court; but it contains no special power of appeal; and I take it, therefore, that the appellate powers under the Bill will be according to Section 120 of the County Court Act. That section limits appeals from the County Court to actions where the subject matter exceeds the sum of £20, except by leave of the County Court Judge. I maintain that unless in the Bill are provided special powers of appeal litigants will be denied the right of appeal altogether, because the majority of cases that come under the Act will be for the recovery of sums under £20. Of course, I am not speaking of the cases of tithes grouped or consolidated in the hands of large landowners—I allude to small freeholders, of whom there are some 6,000 throughout the Principality. Indeed, throughout Wales cases will not only be under £20, but I might say under £5. In the largest agricultural county in Wales—Carmarthenshire—I take the figures for tithe rent-charge in three parishes, and I find the average in each parish is £3 per annum, £2 15s. per annum, and £2 11s. per annum. Now, I contend that when £20 was fixed as the limit of appeal by the County Court Act of 1888, it was not, of course, contemplated that a large body of tithe-payers might come under the operation of the Act; they were not taken into account, because the jurisdiction of the County Court goes up to £50, and the limit of appeal is £20, or less than one-half. The right of appeal belongs, of course, to all classes of litigants, and I hope tithe-payers will not be denied that right. There will be very little hope for tithe-payers in Wales that they will obtain liberty to appeal from the County Court Judges. Who are these Judges? I do not wish to speak disrespectfully, but to make a true statement of fact. They are English-speaking gentlemen, and strong Churchmen, without any particular sympathy with those yeomen farmers in the Principality. Not only so, but there have been tithe actions in County Courts in Wales where leave to appeal has been asked for and invariably refused by the County Court Judges. Notably, there was one case of an action the other day for "pound breach" under an old statute as to which no previous decision had been given for 200 years, and the Judge in that case decided against the defendant on a point of law, and an important point, too, that raised the question of penalties upon the defendant. There was a case in which one would naturally suppose the right of appeal would have been granted, but it was refused, and I may quote this as an instance of what the County Court will do unless the defendant has of right the power of appeal. I have no expectation that the Judges will enlarge the means of appeal under the Bill, and I hope, therefore, the Government will see their way to agree to the Amendment; and if they will not, I am afraid I must press the Motion to a Division.

Motion made, and Question proposed, "That the following Clause be read a second time":—

"If any party in any action or matter under this Act shall be dissatisfied with the determination or direction of the Judge of the County Court in point of law or equity, or upon the admission or rejection of any evidence, the party aggrieved by the Judgment, direction, decision, or order of the Judge may appeal from the same to the High Court, in such manner and subject to such conditions as may be for the time being provided by the rules of the Supreme Court regulating the procedure on appeals from inferior courts to the High Court."—(*Mr. Randell.*)

*(9.10.) SIR R. WEBSTER: I am extremely sorry that the hon. Member should consider it necessary to press this clause. The law is perfectly clear, and Section 120 of the Act gives an appeal in any action or matter in which either of the parties is dissatisfied with any decision or point of law, or equity, or in regard to admission of evidence; the only exception is that there is no appeal in any action for contract or tort under £20, and, so far as my opinion goes, this will not be an action of contract or tort; it is a claim against the land. It cannot in any way be treated as a personal debt of the occupier or of the owner; it is a claim against the land which, as this Bill recognises, is only to be recovered out of the landlord's profits in the case of a tenancy and by distress under Section 2 of the Bill. I was sorry to hear the suggestion; and I must respectfully, but firmly, record my demurrer to it, that County Court Judges in Wales do not give their decisions according to law and the true facts of the case.

MR. RANDELL: I did not say that.

*SIR R. WEBSTER: No body of men are less likely to allow their minds to be swayed by sympathy with the Church or want of sympathy with the religious opinions of the parties in an action, and refuse the right of appeal where such ought to be given. In years gone by I practised largely in County Courts and in the Provinces, and I can say that, while there were very few cases for appeal from the County Court, the Judges were ready to grant such far beyond what I thought desirable for the working of the Act. I hope the Committee will agree to leave the power of appeal where it is, and not by this direct intimation invite appeals in small cases. The Bill does not apply to Wales more than to England; the amounts will be the same in ordinary cases, which will arise in respect to tithe, and the ordinary issues to be raised cannot involve any question of law. I do hope that the Committee will not give by indication what I may call an express right of appeal in all cases, but will leave the matter as it rests under the Act.

(9.13.) SIR W. HARCOURT: If it is clear that there is an appeal in all these cases, of course the Amendment of the hon. Member is not necessary; but that is not clear, and the Attorney General's account of the section was most incomplete. I understood him to say there is an appeal in every case, except in actions of contract and tort. The Act provides there shall be no appeal in any action of contract or tort, in which the total of any corporeal or incorporeal hereditament shall come into question, or where the debt or damage does not exceed £20; nor any action of replevin in case where the debt or damage to goods does not exceed £20. The category is four times as numerous as that mentioned by the Attorney General.

*SIR R. WEBSTER: I did not refer to the whole of the section, because it does not bear on the present application.

SIR W. HARCOURT: I understood the Attorney General to say an appeal would apply to all cases except those of contract and tort, and that these cases were neither.

*SIR R. WEBSTER: I said nothing of the kind.

SIR W. HARCOURT: The memory of the Committee must judge whether my statement or that of the Attorney General is most correct. I heard him most distinctly state it could not occur, because in actions at the County Court there was an appeal in every case except of contract and tort, and that tithe was neither. There is no doubt the remedy for tithe under the Bill remains as before—the ultimate remedy of distress—but what I want to know is—everybody knows that legal proceedings in cases of distress are by replevin—is replevin specially reserved; can there be an appeal in action by replevin where the amount of debt or damage, or the value of goods seized does not exceed £20?

*(9.16.) SIR R. WEBSTER: I think the right hon. Gentleman will find he has not fairly represented what I did say. I was not referring to replevin at all, and I am sure the hon. Gentleman opposite will allow that his argument did not touch replevin. Of course, where there is replevin the rule naturally applies. I was referring to ordinary cases of summons or plaint issued by the County Court Judge. If there was an action of replevin in a case where there was distress—though in regard to proceedings under the Bill I do not think it possible—then in a case of replevin under £20 there would not be an appeal. There is an appeal in all cases except those excepted in cases where the claim is not under £20. The other special exceptions have no application to the case before us. Of course, if the hon. Member thinks that in action of replevin there should be special exemption from the £20 limit that will be a separate argument, but I do not think the Mover of the Amendment will say for a moment that he referred to replevin.

(9.17.) SIR W. HARCOURT: Where distress is the main remedy replevin must occur. If that be so, it is quite plain that in every case where a man is sued for less than £20, and has, or desires to have, an action of replevin, there will be no appeal.

*SIR R. WEBSTER: It is the law now.

SIR W. HARCOURT: But if it were brought into another Court it would not be regulated by the County Court Act. I think that in these small cases, unless the hon. Member is satisfied that they would not be brought into the class where there is no appeal, he should not withdraw his Amendment.

*(9.19.) MR. W. BOWEN ROWLANDS: With all deference to the opinion of the Attorney General, I do not think he has touched the argument of my hon. Friend. The section of the County Court Act excepts from the bringing of appeals, except by way of leave, any action of contract or tort, and then proceeds to specify certain actions which do not come within that exception, and in which there is an appeal. Now, I should have thought my hon. Friend's argument was tolerably conclusive. A new jurisdiction is being given to the County Court, jurisdiction over a subject-matter clearly not previously conceded to the County Court, and which was not in the contemplation of the Legislature in framing the County Court Acts. We now give them jurisdiction in an exceptional subject-matter, and it is a matter involving discussion of nice questions of law, and, therefore, peculiarly fitted for appeals being granted as of right. Whatever may be the capacity, and I have no doubt it is great, whatever the desire to do justice, which no doubt is large among Judges who have given satisfaction by the diligent performance of their duties in County Courts in Wales, it cannot be contended on behalf of any body of Judges, however generally the exercise of their functions may inspire respect, that they will in no case refuse an appeal where such an appeal would be fit and proper. From misconception of the point raised, not fully appreciating its importance, sometimes from a mistaken view of the law, County Court Judges, or High Court Judges either, might refuse an appeal where such should properly be allowed. What we desire is not to enlarge the means of factious litigation, but to secure the rights of the litigant,

and we say, having given the County Court jurisdiction in a novel sort of subject-matter, then in no proper case should a litigant be excluded by the action of a County Court Judge from his right of appeal. In giving this we shall follow the precedent set by those who framed the 120th section of the Statute. All actions of a general nature in contract and tort are excluded.

*SIR R. WEBSTER: Under £20.

*MR. W. BOWEN ROWLANDS: Yes, we understand that. And then the Act proceeds to separate from the exclusion, by name, a number of actions. We ask that the same course should be followed here. Exactly the same arguments in reference to the wisdom and impartiality of the Judges apply in either case; but the reasons that induced the Legislature to make exceptions then should control us now.

*SIR R. WEBSTER: The right of appeal is not given in cases under £20.

*MR. W. BOWEN ROWLANDS: No; but I am showing by analogy why there should be exceptions, and that tithe should be among the exceptions. With regard to the limit, a new question arises. The limit was fixed having regard to the general class of cases in the Courts. Under this Bill, as my hon. Friend has said, the actions in Wales would be of a very small character indeed, and to attempt to class them with actions of contract and tort under £20 would make it impossible to get an appeal at all unless by leave of the Judge. The sum of £50 and the limit of £20 were fixed, no doubt, in reference to the general average of cases in Court; but, having regard to the general average of tithe rent-charge in Wales, by parity of reasoning there should be a right of appeal in actions where a very small sum is at stake. What we desire is embodied in the Amendment—that there should be an appeal on points of law. We do not ask an appeal at random on questions of fact. Every lawyer and most laymen will appreciate the words in the Amendment, "in point of law or equity, or upon the admission or rejection of any evidence." The Attorney General has vouched, and rightly vouched, for the impartiality of the Judges. They are not likely consciously to allow religious or political opinions to bias their judgment in the administration of the law; but there are cases—and my hon. Friend has cited one—in which a Judge has refused an appeal, and—I assume my hon. Friend has rightly described the case—the decision was there on a point of law. I say, generally speaking, it may be accepted as an axiom when we are giving a new jurisdiction in a new matter involving nice questions of law, it will be for the satisfaction of all that there should be the right of appeal. There can be no harm in following the analogy I have indicated, and it will secure confidence in the working of the Bill.

(9.29.) MR. AMBROSE (Middlesex, Harrow): It seems to me some confusion has arisen in the minds of hon. and learned Gentlemen opposite. The principle laid down by the Attorney General is that there would be an appeal under this Act in every case, because it would not be an action of a contract or tort. The other cases raised do not come under the Act at all. What would be the appeal in this case? I do not know of any case that would arise in the nature of replevin except under the 2nd section, Sub-section 2. There is no doubt when an order of the Court is obtained it has to be executed in such a way as executions are always carried out under the principle of distress. When an order has been obtained in the County Court the officer of that Court will execute it much in the same way as if it were distress. What is the appeal? Suppose the officer seizes the goods of the wrong person. Under the order no question can arise upon that point, because the officer's action is justified by the order. Then the point can only arise where goods are seized and no rent is due—a seizure by the distraining landlord in the exercise of his Common Law right. There cannot arise, where the officer is executing the order of the Court, a question as to liability to pay the tithe. If an appeal is to arise at all, it must arise in the order of the County Court appointing the officer whose duty it is to distrain. That comes within the rule laid down by the Attorney General, and there may be an interpleader issue, which is a question of a new action. The question will be not as to liability to pay the tithe, but as to whether the officer in seizing the goods has seized the right goods. There would be a new action as to whether the order of the County Court Judge should remain. It would not be a replevin at all, and I therefore submit that the contention of the Attorney General is quite correct.

(9.33.) SIR W. HARCOURT: If the Attorney General is right, why does he object to this Amendment? If there is to be an appeal in all these cases, why does he object to give it in the Bill? The hon. and learned Gentleman who has just sat down—and whose speeches always satisfy me that the point he contests is well-established—says that in an ordinary distress you may have a replevin; but that if it is made by order of the Court, the doctrine of replevin is ousted. I shall be astonished to hear that doctrine upheld by the Attorney General. The Court may make an order which may turn out to be mistaken. It may turn out that the distress has been wrongfully put in, and I should be much surprised if, by a side-wind in this Bill, the doctrine of replevin in such cases is abolished. But I do not know that any useful purpose will be served by going into these niceties of the law. If the Attorney General says he does not admit that there is any case without appeal, why should we continue this discussion, and why should he not make it clear that there is to be an appeal in all cases?

*(9.37.) SIR R. WEBSTER: In any of these matters there is an appeal; and as to the exception that ousts the appeal, it can only be in cases of replevin. Those cases are not before us, because, where replevin arises, it can only be after the Judge has given his order, and the hon. Gentleman now wants to give an appeal before even distress is levied and replevin can come in. The point the right hon. Gentleman the Member for Derby wanted to put upon me was not *ad rem*, because it deals with proceedings after the appeal has gone. There is not one word in the clause which will make an exception to the ordinary practice. I pledge the Committee that that is still my view, and in that I should have thought that the right hon. Gentleman would have counselled the Mover of the Amendment to withdraw his proposal. I believe these words to be wholly unnecessary, but I have no further objection to offer to them.

Mr. Ambrose

(9.39.) SIR W. HARCOURT: I will not pursue the matter; I will only say that the real truth is, that the hon. Member who moved the Amendment desires to have an appeal in all cases, not merely on the order, but in all subsequent proceedings.

*(9.40.) SIR M. HICKS BEACH: We have no objection to accept the Amendment.

(9.40.) Question put, and agreed to.

Question, "That the Clause be added to the Bill," put, and agreed to.

Clause added.

(9.40.) MR. RANDELL: I beg to move the following new clause:—

> "In any action or matter under this Act it shall be lawful for the plaintiff or defendant to require a jury to be summoned to try the said action or matter."

Under Section 100 of the County Court Act unless a jury is empanelled the Judge of the Court is the judge of fact and of law, and by Section 101 no jury is allowed except in cases where the amount sought to be recovered exceeds the sum of £5. I have explained that so far as all the cases in the Principality are concerned—and it has already been admitted that the Bill is aimed at the Welsh people—the amounts to be recovered will be under the sum of £5. Therefore the effect of the Bill will be to shut out the Welsh people from trial by jury in these tithe cases. I think the power of the Judge to find on the facts is conducive to a certain amount of oppression. In reply to what fell from the Attorney General, I would say that I cast no reflection on the Welsh Judges. What I said was that I did not at all question their decisions, but that the County Court Judges in Wales would not encourage appeals, and there is abundant evidence to show that tithe cases are not without their political significance. Juries, according to the Master of the Rolls in a recent case, by being judges of fact, have contributed greatly to the peace of the country, and they will be valuable in these cases of tithe.

New Clause (Trial by Jury,)—(*Mr. Randell,*)—brought up, and read the first time.

Motion made, and Question proposed, "That the Clause be read a second time."

*(9.45.) SIR R. WEBSTER: There is an absolute right to a jury in all cases above £5, but not under. That is a very excellent provision, whether it be applied to tithe or any other matter in dispute. It is not reasonable that a litigant should have a right to have a jury in cases where less than £5 is in dispute. Jury trial brings a large number of business men into Court at a great sacrifice of their time and almost without remuneration, for I believe the fee is only 1s. I do not think juries should be allowed in cases where the amount in dispute is under £5, simply because the debt has arisen out of tithe.

(9.48.) SIR W. HARCOURT: I confess I have a strong feeling in favour of the Amendment. Under the Bill juries would not be allowed in three-fourths of the tithe cases. I do not say anything against County Court Judges in Wales or elsewhere, but there is one disadvantage in making them judges of fact. I do not know that all of them are Welsh-speaking men.

An hon. MEMBER: Only one of them speaks Welsh.

SIR W. HARCOURT: And it must be remembered that these gentlemen will have to administer justice in cases that touch Welshmen in their dearest feelings. The only protection the people will have will be in juries who understand the language. If there ever was a case in which it is necessary to preserve juries for litigants it is this case of tithe. To the Attorney General £5 seems a small amount, but it is not a small amount to the people of Wales. I confess that in this matter I would go farther than the Amendment. I say again, with the deepest conviction, that the satisfactory working of this measure depends upon your not making the shoe pinch more than you did before; and if it is found that the indirect operation of the transfer to the County Courts is more oppressive than the old law, you will inevitably have a row over the Bill. You will have summary jurisdiction under the Bill, and the deprivation of trial by jury will be very deeply and, in my opinion, very properly resented. You do not pretend to make this Bill a Coercion Bill. You do not pretend that in Wales a case has arisen for exceptional legislation. You do not pretend that in the case of tithe you are going to give Resident Magistrates jurisdiction; but if the consequence of the Bill will be that the decisions of the County Court Judges—though upright, as I am prepared to admit—will be received with prejudice, the poor Welsh farmer will ask why, when he had the protection of a jury before, he should not have it now. In my opinion there will be a great deal of mischievous prejudice against your Bill, and though I do not oppose the principle of the measure as I understand it, I have been very anxious throughout every clause to remove anything like an exceptional jurisdiction. I hope the Amendment will be accepted. If it is not, I shall be myself prepared on Report to move an Amendment giving the right of trial by jury to these men in cases where they would have had it before.

*(9.53.) MR. S. T. EVANS: The question of fees cannot be an argument against trial by jury in the County Court any more than in the Assizes. It is of the utmost importance that no antipathy should spring up between the people and the County Courts, and, therefore, that these questions of tithe should be decided by juries. I agree with what the right hon. Gentleman has said about Welsh juries so far as I know them, and I think the Judges themselves would like to see the cases tried by juries.

*(9.55.) MR. SYDNEY GEDGE: The right hon. Gentleman the Member for Derby two or three times stated that this Bill would take away from the Welsh people a security which they possessed before. The Bill does nothing of the kind. It leaves the right of trial by jury in the County Court exactly where it is now. In cases where the amount in dispute is over £5, a jury can be had by right, and in cases where the amount is under £5, a jury can be had with the consent of the Judge. It is said that politics will be mixed up with these tithe cases; and if that is so, who will be the most likely to give an unbiased decision, a County Court Judge who has nothing to do with the land or the tithe, or a juryman who in all probability will be himself a tithepayer? I say the County Court Judge.

*(9.58.) MR. ABEL THOMAS: This question will, of course, not appreciably affect England, where the amounts pay-

able in respect of tithe are nearly all above £20, but it will affect Wales closely. For I will undertake to say that there will not be one case in ten where the amount claimed is £30; and if you divide that into two, for the amount will be payable half yearly, there would not be one farm in 100 in reference to which there could be trial by jury unless you accept the Amendment. I have no doubt that the County Court Judges will decide any case that comes before them fairly; but the question is, what will the Welsh people think? I believe where politics come into question, and especially the matter of Church disestablishment and payment of tithes, Welshmen will not be satisfied unless they have the facts tried by their own countrymen instead of by County Court Judges.

*(10.0.) MR. F. S. POWELL (Wigan): Perhaps I may be excused for interfering in the Debate for a few minutes. I cannot forget that this is an English as well as a Welsh Bill, and I think the whole burden of proof lies upon those who desire a change in the law. I know of no reason whatever, so far as England is concerned, why there should be any fear of County Court Judges, in whom we have confidence, whose industry we know, and on whose legal knowledge we can rely. We have no reason to suppose that the County Court Judges appointed in Wales are inferior in character, or that their sense of responsibility is any less than that which prevails among County Court Judges in England. I do not see any reason to suppose that they will have any prejudice on one side or the other. They have to deal sometimes with disputes between employers and employed, and I never heard in England any doubt of the County Court as a tribunal. And I have no hesitation in saying that in Wales the same impartiality will be found among the County Court Judges. I have heard the objection raised that the County Court process will involve long journeys for the residents in Wales, and that severe labour will be caused them in carrying out the provisions of the Bill. If that is an objection it is no less good with regard to the trial of these cases by juries. One reason why trial by jury has more or less fallen into disuse is the labour it imposes upon the jurymen; and I think Welshmen would find the labour caused by having to serve on juries would be of a severe character. I think the County Court Judges have justified the confidence reposed in them, and I do not see why that confidence should not exist in Wales as well as in England.

*(10.5.) MR. G. OSBORNE MORGAN: The questions raised under this Bill will be entirely different to those ordinarily coming before the County Court Judges. If ever there was an instance in which a jury was required it is in that of the tithepayer; for in three cases out of four the County Court Judges do not understand the Welsh language. I can assure the hon. Gentleman that there would be no partiality on the part of the Welsh juries. It is a remarkable fact that in all the cases which have arisen, in my own county particularly, out of these disturbances their verdicts have been characterised by the utmost impartiality. I do not for a moment mean to say that the Welsh County Court Judges—I think I know them all—are not able to deal competently with these matters, or that they are not likely to be impartial. But, of course, they labour under the disadvantage of not being able to understand the witnesses. What you want is not merely right decisions, but that the Welsh people should know and believe they are right. The County Courts in Wales are now exceedingly popular—almost too popular, if I may judge from the great number of plaints I have seen—and the people are generally satisfied with the decisions. I do not want to see any change in that feeling, and I cannot help thinking that three or four decisions by the County Court Judges against the tithepayers would be to discredit the County Courts. It is in the interests of the County Courts that I support this Amendment.

*(10.11.) MR. W. BOWEN ROWLANDS: I was very much struck with the observations of the hon. Member for Stockport with regard to the prejudices of juries. He supposes that Judges live in a region where they are entirely unaffected by, and are unconscious of, prejudices. He supposes that they are the only persons unaffected by class, religion, or politics. In his various and extensive reading, has the hon. Member ever perused the pages of *Hallam*, who points

out the prejudices by which Judges, from their age, their training, and their employment, are liable. Take one instance out of many. Is it to be supposed that those who supported Mr. Fox's Libel Act thought the Judges of the High Court were unfit to discharge the duties of their office? No; but the framers of Fox's Act deemed that Judges were unconsciously affected by their training, and thought it wiser to trust decisions of libel cases to juries, in whom the country had confidence, whatever their prejudices, rather than to Judges affected by another and, perhaps, a narrower circle of prejudices. But I would point out that juries are already trusted up to a certain limit. It is inverting the whole argument to say that juries shall be trusted up to £5 and £20, but that they are unfit in other cases, simply because of the smallness of the amounts which are at stake. My hon. Friend opposite spoke of the change in the law. True, it is a change in the law in subjecting tithe to the jurisdiction of the County Court. If this had been within the scope and jurisdiction of the Court before, there might have been something in the argument; but as this is a proposal to bring the matter for the first time within the scope of the County Court Act, I think the suitors have what is the *primâ facie* right of every man in England—the right to have questions of fact tried by jury.

(10.13.) Mr. ABRAHAM (Glamorgan, Rhondda): The House will pardon Welsh Members for pressing this Amendment. I should like hon. Members opposite to disabuse their minds of the impression that in Wales we have not confidence in the County Court Judges, because they are English Judges. We have confidence in them, but our one great difficulty is that of language. I am told it is a maxim in law that a man ought to be tried by his countrymen. If that is so, I think we have a right to ask that Welshmen shall be placed on a similar footing with Englishmen when they appear before the Courts of Law. We have five County Court Judges in Wales, and I do not think one out of the five knows the Welsh language. Now that the Bill applies to Wales, it is our duty to see that it will work as smoothly as possible. Seeing that the English Judges are not able to understand the Welsh tongue, I think we have a right to ask that the Welsh people should be tried by jurymen who do understand their tongue. The Judges have accused witnesses of perjury, but I am sure if the Judges understood them they would hold a different opinion. As a miners' agent, I have frequently to attend the Courts of Law, and over and over again I have had occasion to correct the interpreters. It is a well-known fact that the Judges in the West of Wales, where the great bulk of the disturbances have taken place, have sat in cases without understanding a word of the Welsh language. If the Government could only see their way to the acceptance of this Amendment the Welsh people would be really grateful for that consideration.

(10.16.) Sir W. HARCOURT: This is one of the most important, if not the most important, questions which have been raised upon the Bill, and I hope the Amendment will be adopted. I remember a Welsh friend of mine telling me that at a Welsh Assize, before an English Judge, he asked leave to address the jury in Welsh, and, when leave was given, he said to the jury, "You have an English Judge who will deceive you, and who will sum up in such and such a manner," which, as he knew how the Judge would in all probability address them, he at once put before them. The result was that when the Judge came to his summing up, and did sum up almost in the words used by counsel, the jury were convinced that the counsel was right, and gave their decision accordingly. This simply shows the consequences of having an English legal administrator among a Welsh-speaking people. The right hon. Gentleman in charge of this Bill, as I have already warned him, is not fortunate in his legal supporters, for the men who have done most damage to the measure have been the hon. Member for Harrow (Mr. Ambrose) and the hon. Member for Stockport (Mr. Gedge). When the hon. Member for Stockport asks the Government to endorse the proposition that Judges and not juries are the best people to determine political questions, he has reached a point of political absurdity which it is impossible to surpass. I do not imagine the right hon. Gentleman the President of the Board of Trade will accept such an argument; on the contrary, it is absolutely destructive of the case the hon. Member has set up, and, in point of fact, is the foundation of the argument for the Amendment. It is admitted that these are cases which, as the lawyers say, "sounded in politics," and in which we ought to be specially careful not to exclude a jury. It has been the unbroken tradition of English Law that, whatever you do in any other case, you must preserve the jury wherever a political question arises. If you allow Judges, however eminent or learned, to determine questions of political libel or sedition, as my hon. Friend behind me has pointed out, or other questions of a political character, the whole liberty of the subject will be gone. It is said that the onus of proof is with those who want to alter the law. Yes, but who is it that is altering the law? It is the Government who demand an alteration of the law, not we. It is because the Government are introducing a new jurisdiction for the recovery of the tithe by means of a Court which has no jurisdiction now, that the difficulty has arisen. I have said over and over again in these discussions that I do not at all object to your using the County Court bailiff instead of the tithe owner's agent for the recovery of the tithe. What I do press on the Government is that they should not import into the determination of these matters the whole body of County Court law, indirectly. It does happen that in the limited jurisdiction exercised under the County Court Acts there are particular restrictions; but you ought not to apply these restrictions in matters that are brought for the first time under the cognisance of the County Court; and, further, you ought not so to treat the Welsh people that, in giving a new jurisdiction to the County Court, you deprive them of the protection hitherto afforded of trial by jury. On these two grounds, first of all in regard to the political character given to the matter, and, in the next place, in relation to the circumstance that the new jurisdiction is to be exercised among the people whose language is not understood by those who administer the law, I urge that the arguments are strongly in favour of giving trial by jury in all cases under the Bill. If you do not allow trial by jury in cases under £5 you might as well refrain from legislating for Wales at all, because, whereas in England the great majority of cases will be above £5, and therefore triable by jury, in Wales the majority of cases will be under that amount, and the right of jury trial will be denied. On these grounds, therefore, I do hope the right hon. Gentleman will be able to meet the views of my hon. Friend and those who support him on this side of the House.

(10.8.) MR. T. M. HEALY (Longford, N.): I regret the right hon. Gentleman in charge of the Bill has not answered the question put to him, because I think that if there is any question which ought to excite attention by this House it is that which is raised in this Amendment. Let me point out to hon. Gentlemen opposite that not only does this raise the question of a distinction of treatment as between England and Wales, but that whereas you in England will have in the majority of cases the right of trial by jury, you deny this right to the people of Wales. All your farms, steadings, and holdings in England are large. ["No, no!"] Well, at any rate, that is the case in the proportion of at least three to one. That is to say, you would be able to have a jury in three cases out of four, and to that extent you are doing an injustice to the Welsh people. You have already granted an appeal to the Queen's Bench. On the small cases that arise in Wales there may be a good deal of friction in the different districts presided over by the County Court Judges, and you ought to give the Welsh people an appeal on questions of law. The Attorney General smiles at this; I do not see why he should do so.

*SIR R. WEBSTER: I was merely smiling at what the hon. and learned Member, who has only just come in, has said with regard to the question of appeal. As a matter of fact, the right of appeal has already been given on a previous Amendment.

MR. T. M. HEALY: I am perfectly aware of that, but that is an entirely different question to the one I am raising. Supposing a man is to have a right of trial by jury in questions over £5, what, I ask, is the difference between that and £4 19s. 11¾d., for which the right is denied? I say it is most unfair on the part of the Government that, in dealing with a separate nationality in which English is not spoken, they propose to reserve to the English people the right of trial by jury, and practically deprive the Welsh people of that right altogether. The hon. Member for Rhondda has already referred to this question of difference of language. I myself have heard in the Irish Land Court men giving evidence in Irish, who, because they happened to be able to speak a few words in English, have been compelled to continue their evidence in that language. The mistakes made under such circumstances are grotesque. I have heard a man use the word "three" for the word "thirty" from his want of knowledge as to English figures. Why, then, in the case of Wales, where the Welsh language is universally spoken and just as universally ignored by the County Court Judges, do you propose to enforce this distinction between the two countries? I would appeal on this account to the Government, if they will not give trial by jury, at any rate to allow an appeal on questions of fact. It is misleading on the part of the Attorney General to suggest that you have an appeal on matters of fact. That is not the case; and if he asserts that it is so, I deny the assertion. As a rule, County Court trials for sums under £5 are trumpery matters, but trials on this tithe question in Wales are not trumpery matters. They would not want juries in matters of shop debts and cases of that sort, but the case is different when the question relates to tithe. The Government are now inventing a new jurisdiction, and they will create an intense feeling if the Welsh-speaking people are denied the right of trial by jury. That is practically what it means. A matter which engages the deepest feelings of the Welsh people is thus to be dealt with. The men affected are those who seldom, if ever, see a Court. They do not live litigious lives; they reside right away on the mountains, and for a dispute about a wretched, miserable sum of 10s., 15s., 20s., or 30s., they are to be dragged into Court, probably for the first time in their lives, and the case in which they are concerned is to be conducted in a language which they do not understand. I say it is most unfair. You ought to abandon this £5 limit, and you ought to be induced to do this by the fact that the Welsh Representatives are a minority in this House, and that they are nearly unanimous in demanding this. I hope that the right hon. Gentleman, who has so far displayed a reasonable spirit, will accede to this request. I object to the doctrine of the hon. Member for Stockport—"Trust in Judges, and distrust juries." I think we ought to cultivate distrust in all officials. Let the right hon. Gentleman bear in mind that four-fifths of the cases likely to arise under this Bill in Wales will be affected by this limit, and then I think he will see the desirability of abandoning the position he has taken up.

(10.33.) MR. J. BRYN ROBERTS: The only argument which has been advanced against this proposal is that juries might be affected by political prejudices. But surely it is not likely that every member of a jury summoned to try a case would be of one and the same way of thinking. Two might be one way and one another, and thus prejudices would be neutralised. But if political prejudice exists in a Judge, it is necessarily all on one side, and Judges, be it remembered, are as prone as anyone else to these prejudices. Again, it has been said that the jurymen will be of the same class as the litigants. But that is not so, because, as a rule, the County Court jurors are summoned from among the tradesmen of the town in which the Court holds its sitting, while the litigants come in from the rural districts for miles around. It is notorious that there is not a more impartial tribunal than a County Court jury.

(10.35.) MR. LLOYD-GEORGE: I can confirm what my hon. Friend has said as to the class from which County Court juries are drawn. I believe that the Judges would prefer the assistance of juries in settling these tithe cases. They would not care for the invidious task of deciding a case in which so much political animus and religious feeling may be involved. As a rule, a batch of 30 or 40 cases from one parish will come up for hearing at the same time. They will all turn on one particular point, and though the aggregate amount involved may be £40 or £50, in not more than one case, perhaps, will the litigants be entitled to claim a jury. I think that these cases call for special treatment. Why should a distinction be made between a case above £5 and one under that amount? The wealthy tenant farmer will be able to enjoy the luxury of a jury; the poor peasant proprietor will not, unless this Amendment is agreed to, and if it were only to dispose of the suspicion that there is one law for the poor and another for the rich, the Government ought to make the concession demanded.

(10.39.) The Committee divided:—Ayes 127; Noes 168.—(Div. List, No. 31.)

*(10.51.) Mr. MORTON: I had intended to propose a new clause dealing with the apportionment of the tithe rent-charge among the occupiers. By the advice of the hon. and learned Gentleman the Attorney General, I put it down as a new clause; but I still think it would have been better to have added it to Clause 1. I am now quite willing to accept the words which have been suggested by the President of the Board of Trade, and therefore I withdraw the proposal.

*(10.52.) Mr. T. H. BOLTON: I have on the Paper two new clauses, one providing that several cases may be included in one application to the County Court and another dealing with apportionment of rent-charge on land owned by several parties. I understand that the Attorney General has prepared a clause with the same object, and I am willing to accept it. I do not, therefore, move.

*(10.53.) Sir R. WEBSTER: The hon. Member proposes that this should be provided for in the Statute, but that would be too hard and fast a line. I propose that a clause be inserted giving the Court power to make rules for this particular object.

New Clause handed in, but not read.

(10.53.) Sir W. HARCOURT: I am always glad when hon. Gentlemen who have proposals can come to an agreement with the other side; but really the House of Commons should have something to say on this matter, or else we shall have all sorts of legislation passed without the slightest idea of what is being done. What is this new clause?

*(10.54.) Sir R. WEBSTER: The Amendment on the Paper proposes that the tithe owner may include any number of separate claims against separate parties in the same proceeding. That, of course, would enable a claimant to raise all kinds of questions without risk as to cost, because they would be recoverable against one or other of the defendants. I venture to suggest that the proper course would be for rules to be made to meet that object, and the new clause which I have proposed would prevent any abuse of the privilege, which would ensure the saving in costs.

(10.55.) Sir W. HARCOURT: I should have liked to have had an opportunity of examining this clause. It appears to me that the hon. Member for St. Pancras has been moving his Amendments mainly in the interests of the tithe owner. I am a little jealous of that proceeding, because my interests in this matter are not so absolutely with the tithe owner as those of the hon. Member. I think that the tithepayer should receive some consideration in the Bill. I do not oppose the Amendment now, but I will reserve my right to examine it on Report, and of seeing what its effect will be. But I do repeat my protest against this method of introducing clauses without giving the House an opportunity of knowing exactly what is being done.

(10.57.) Mr. T. M. HEALY: The hon. and learned Gentleman the Attorney General has refused an Amendment which would give a jury in all cases, and yet he now accepts an Amendment enabling cases to be tried *in omnibus.* This will enable the tithe owner to strike 40 heads off at one blow. Now, let me ask the Government this question: Suppose a tithe owner has claims against 50 defendants, and, by bringing them up in batches of five, he can keep them all under the £5 limit, will he be at liberty to have them disposed of in 10 batches, and thus prevent any jury being empanelled? Now that the Government have accepted this Amendment, the Welsh Members ought to insist on engrafting on to it the principle of trial by jury. This is an Amendment accepted admittedly in the interest of the tithe owner. The least, then, the defendants can ask in return for the concession is that they should have the defence of the palladium, that the tithe owner shall only bring one suit, that he shall not have Brown, Jones, and Robinson in one process, and Smith and all the rest in another process. Let him elect which litigants he is going to contest. Let him bring his charges separately against each one, or let him have one process. He should not be able to include four in one process, six in another, and one in another. The interests of men on one side of a mountain may be very different to the interests of men on another side of the mountain. Why are these men to be included in a kind of omnibus legal pill, which they are all to swallow? Of all the principles one has ever heard of this principle approved of on behalf of the patentee by Her Majesty's Government is the most extraordinary. Let us know from the Government what they mean. The very least you can give a litigant is the right to say, "I shall be included in the one process, or I shall not."

*(11.3.) SIR M. HICKS BEACH: We did not anticipate that any objection would be raised to this clause, but I quite agree that it is only fair to the Committee that they should see the clause in print before they assent to it. Therefore, what we propose to do is to ask leave to withdraw the clause now, and bring it up again on Report. I trust that we shall be allowed to conclude the Committee stage to-night.

(11.4.) MR. T. H. BOLTON: I am one of those who believe that tithe is public property, and that the provisions of this Bill should be reasonably efficacious in order that that public property should be preserved. If you make the recovery of tithe unnecessarily troublesome and expensive the property will disappear. Many of the tithe rent-charges are very small in amount—some are as low as 6d. and 9d. In one parish in Wiltshire there are 573 tithe rent-charges not exceeding 20s. each, and 371 of them are less than 5s. each. I have a list of tithe rent-charges in another parish, and some of them are as low as 1s. and 2s. If in such cases you are not to allow the causes of action to be grouped, you will make the recovery so expensive that the property will be lost altogether. It was with the view of making the recovery reasonably efficacious and practicable that I put on the Paper the new clause which stands in my name. The Government have substantially accepted that clause, although in another form. My only desire has been to deal with this Bill in a sensible and practical way, and to make it a useful measure.

*(11.6.) MR. S. T. EVANS: Before the Amendment is withdrawn, I should like to ask that whatever regulations are made they shall be embodied in the clause, and not in rules. I think there would be the most strenuous opposition on the Report stage if you allow the Judges to make rules governing the question, and so take away the responsibility of the Committee.

*SIR J. SWINBURNE: I should like to know whether Her Majesty's Government are prepared to give us trial by jury. On the Report stage we shall be very limited in our discussion No hon. Member on this side of the House will be able to speak more than once—[*Ironical cheers*]—and hon. Members opposite will only be able to speak once. I am sure we shall regret that. We have now a Minister of Agriculture. Cannot he tell us what are the intentions of the Government? Are they going to give us trial by jury when the tithe is under £5, or do they intend to refuse it absolutely?

(11.8.) MR. LLOYD-GEORGE: I think it would tend to shorten the discussion if the Government would express their intention with regard to the question of trial by jury. The Attorney General has stated that consolidation of actions shall not take place except in cases where the same issue is involved. Personally, I shall oppose the withdrawal of the clause unless a pledge is given that recourse may be had to trial by jury.

*SIR M. HICKS BEACH: I hope the hon. Member will not divide the Committee against the withdrawal of the clause, which everybody wishes not to proceed with. It is impossible for us to give any pledge, but we will consider before the clause is brought up on Report whether the change that it makes in the law would require any change in the law with reference to the limit of £5. I cannot do more than that.

(11.12.) MR. T. M. HEALY: In view of the importance of this matter, I hardly think the right hon. Gentleman has considered sufficiently the language he has just used. The Report stage, of all other stages, is the most unsuitable for the consideration of a matter of this kind. I feel the force of the remarks of the hon. Member for St. Pancras. Viewing the tithe as national property, it is desirable it should not be frittered away; but litigants have rights as well as tithe owners, and they are entitled to know exactly where they stand. I think hon. Members for the Principality might be content if the right hon. Gentleman will give us the pledge that if it is thought desirable by any considerable section of the Welsh Members to have the clause discussed in Committee, he will re-commit the Bill. The matter is so vital in the interests of the smaller litigants that I am sure that if the right hon. Gentleman considers the point he will see it is not unreasonable that the Welsh Members should have the opportunity of discussing the question in Committee.

The CHAIRMAN put the Question, "That the Amendment be withdrawn," and declared it carried.

MR. T. M. HEALY: On a point of order. The hon. Member (Mr. Lloyd-George) was on his legs.

THE CHAIRMAN: I asked if it was the pleasure of the Committee that the Motion be withdrawn. I declared the Motion withdrawn before the hon. Member rose. [*Cries of* "Progress!"]

(11.15.) MR. W. P. MORGAN (Merthyr Tydvil): Having regard to the importance of the clause which stands in my name, and the lateness of the hour, and the fact that the right hon. Gentleman in charge of the Bill seems to be rather tired, and that he has not condescended to reply to the arguments urged by Members for the Principality in favour of having their cases tried by jury, I beg to move that you, Sir, report Progress, and ask leave to sit again. The clause standing in my name involves the question of whether or not men who, for all practical purposes, have been law-abiding men, are to have their mouths for ever shut, are not to be allowed to enter their protest against paying what they consider to be an unjust infliction.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. W. P. Morgan.*)

*(11.17.) SIR M. HICKS BEACH: We have hitherto, before the interposition of the hon. Member for North Longford (Mr. T. M. Healy), discussed this Bill in a businesslike way, and in a way that reflects especial credit upon the Welsh Members, who naturally take a great interest in it, and until now there has not been the slightest trace in the Debate of anything that could be fairly called obstruction. I am therefore utterly astonished at the Motion of the hon. Member to report Progress at 20 minutes past 11 o'clock, when there is ample time for the Amendment which stands upon the Paper in the hon. Member's name to be fully discussed. I hope that the hon. Member will not press the Motion to report Progress.

(11.18.) SIR W. HARCOURT: I am sorry the right hon. Gentleman introduced the invidious word "obstruction." Hon. Members have arrived at a time when I believe they do not desire to discuss the Bill. I never recollect any measure being more modestly discussed than this Bill has been, and for hon. Gentlemen to shout "obstruction," shows what little foundation there is for the charges of obstruction which are made from the Government Benches. I hope, however, my hon. Friend will not press the Motion to report Progress. I cannot altogether acquit the Government of imprudence in having accepted at the end of the discussions on this Bill, an Amendment embodying a new principle. It is in my opinion a most mischievous proposal, and is certain to raise a very strong degree of opposition. Even though the hon. Gentleman agreed to withdraw the Amendment, he cannot be surprised that it was followed by the most vehement protests; protests which were in my opinion absolutely needed in view of the mysterious character of the proposal. You might just as well introduce a proposal that a tradesman should collect all his bills. [*Cries of* "Order!"] I am doing what I can to help gentlemen opposite.

*(11.21.) MR. SYDNEY GEDGE: I rise to order, Sir. I submit that it is out of order, on a Motion to report Progress, for

a gentleman, whether hon. or right hon., to discuss an Amendment which has been withdrawn.

THE CHAIRMAN: The right hon. Gentleman was out of order.

SIR W. HARCOURT: Under the circumstances, it appears that the best thing I can do is to vote for the Motion to report Progress.

(11.22.) MR. T. M. HEALY: I am very sorry that gentlemen opposite thought it in good taste to drag in my name as an Irishman, and to wave it as a kind of red rag before John Bull. My intervention in the Debate occupied, I suppose, 10 or 11 minutes, and really I hardly think, considering the importance of the question, and the anxiety that prevailed on this side, it was an unfair intervention on my part. I can assure the right hon. Gentleman (Sir M. Hicks Beach) that I am as anxious as anybody that he should get this Bill through to-night, because an arrangement in which I am interested will be dislocated if any other course is followed. I think it was unfair to say that, because I interfered with reference to the Bill, obstruction must prevail—in other words, that the Irish Members, who are dragged here by the supremacy of this House, are to be subjected to a new kind of disability. It seems that we are not to take part in any but Irish discussions without being charged with obstruction. This comes from the leader of a Party which champions the beautiful principle of a united Parliament. I will not, however, take advantage of the unhappy plight into which the right hon. Gentleman's observations have put him, to retaliate upon him. I think it was a mistake on the right hon. Gentleman's part to treat the Welsh Members with contempt on the jury question, and to refuse to give expression to a single opinion in answer to their appeals. His true course would have been to say he was unable to accept the Amendment, and to ask the House to go on with the next business, inasmuch as an understanding had been come to that we should finish the Committee stage to-night.

*(11.25.) MR. W. P. MORGAN: I am willing to withdraw the Motion to report Progress, if I can get from the Attorney General an assurance that imprisonment will not be inflicted except for personal violence, and in that case I will not move my clause. I think the Committee will probably agree with me, that we have already had enough of legal argument on this Bill.

*(11.26.) SIR R. WEBSTER: I can give no further assurance than I have given already, that the officers who executed a process under this Act will be protected in the same way as an officer executing any other order of the Court. There ought to be no distinction whatever between——

SIR W. HARCOURT: As it seems now in order to discuss on this Motion a future Amendment, I will now proceed to discuss it.

(11.27.) THE CHAIRMAN: A question was asked and an answer was given. There could not be a discussion in violation of the Rules which prevent discussions on the question of reporting Progress.

SIR W. HARCOURT: Then I would observe that the answer of the Attorney General is not a satisfactory answer to the question of my hon. Friend, and I strongly advise him to take no course on his Amendment founded upon that answer, because certainly the existing law will enable imprisonment to be given in some cases, which will go far beyond the provisions of the existing law.

*MR. W. P. MORGAN: I shall divide the Committee upon my Motion.

(11.28.) The Committee divided:—Ayes 112; Noes 163.—(Div. List, No. 32).

*(11.40.) MR. W. P. MORGAN: I beg to move the following clause:—

> "Provided always, that notwithstanding anything in this Act or in the County Courts Act, 1888, contained, no person shall be liable to any penalty or punishment, unless such person shall actually obstruct or assault the bailiff or receiver of the County Court, or his or their assistants, or other officers of the Court, in the execution of his or their duty, or unless a rescue of property, previously legally seized, shall be actually made."

I regret very much that there should have been for a moment a suggestion that I was desirous of obstructing the House or its business. I have never yet attempted to do anything of the sort. This Amendment has been on the Paper for something like a week, and I have been in my place day by day watching for an opportunity of moving it. I think I was justified in assuming that at this hour of the evening there was not sufficient time for properly discussing a proposal on so important a subject. If this clause be not inserted we shall have to all intents and purposes a Coercion Act in Wales as well as in Ireland. A man will not be allowed to knock at the door of a bum-bailiff or to crack a joke with an officer of the Court without rendering himself liable to be brought before the Court for contempt. A man will not be able to speak to an officer of the Court of some injustice that has been inflicted upon him. Indeed, he will have to do what the people of Ireland now have to do, that is, to say nothing at all, unless he is to come within the meshes of the law. We have had sufficient instances in Ireland of the operation of such a law as this, to justify the insertion of such a clause in a Bill which deals with a subject that in some respect excites considerable ill-feeling in the Principality, and I think the Committee would not be doing its duty if it did not insert in the Bill some clause which would have for its object the protection of those of Her Majesty's subjects who have recourse to protests at a sale or a seizure, or who wish to hold meetings so as to bring before the public the grievances from which they suffer. I would ask the Attorney General to consider this matter. I am sure he does not wish to inflict on the people of Wales any particular restrictions in their protests and in their endeavours to obtain redress of the grievances under which they consider they are suffering.

New Clause (No person shall be punished except for obstruction or assault,) — (*Mr. W. P. Morgan,*)—brought up, and read the first time.

Motion made, and Question proposed, "That the Clause be read a second time."

*(11.43.) SIR R. WEBSTER: This is not the first time I have had to deal with this question, and I hope the hon. Member will not think I am guilty of any want of courtesy if I make a brief reply to his remarks. The hon. Member proposes that no man shall be punished unless he is actually engaged in an assault or obstruction. A man of influence may stand by and incite persons to obstruction or to assault without himself actually indulging in violence. Then he proposes that, unless there is an absolute loss of property, there shall be no offence—that is to say, that attempts at rescue shall not be punished. A bailiff may in a scuffle lose his watch, and yet under the hon. Member's clause it would not be possible to prosecute those whose conduct produced the scuffle.

*MR. W. P. MORGAN: Does the learned Attorney General mean to tell this House that this clause would do away with the Larceny Act, and that the bailiff could not prosecute a man for stealing his watch?

*SIR R. WEBSTER: If in the course of the scuffle the bailiff's watch happened to disappear, and it could not be proved who was the actual thief, nobody could under this clause be punished.

*MR. W. P. MORGAN: I would suggest to the hon. and learned Gentleman that he, with his superior knowledge and experience in these matters, should frame a clause which will carry out the object which he says the Government have in view, namely, to punish persons who actually commit assaults or incite others to commit assaults. I am desirous of protecting a man who says, "Three cheers for Gladstone"—words which, in the minds of some persons, might be regarded as inciting people to rebellion. If the Welsh people, who have hitherto been regarded as a law-abiding people, are to be prevented from holding their meetings and making their protests, the Government and the Attorney General must take the responsibility. It is the duty of the Government to maintain law and order, and if they persist in passing legislation which will have an opposite tendency, they must take the consequences

*(11.47.) SIR M. HICKS BEACH: The hon. Member used some words which appeared to me to imply his own admission that the clause was open to the objection urged against it by my hon. and learned Friend, and that it would be fair on his part to accept some alterations. I think it would be difficult to frame a clause which would carry out

the views of the hon. Member, and I would appeal to him not to press his clause now. If the hon. Member, or any hon. Gentleman opposite, can frame a clause which will not be open to the reasonable objections which have been urged, and bring it forward on Report, we will do our best to meet them, but we cannot consent to put the officer of the Court in a worse position in these cases than he is in other cases. On the other hand, we are extremely anxious to make it clear that we do not want to place people in these circumstances in a worse position than in any other cases. I do not think gentlemen opposite will lose anything by taking the course I suggest, especially in view of the important Debate that is anticipated.

*(11.49.) MR. S. T. EVANS: I should be very sorry to join in anything in the nature of obstruction. But may I make an appeal to the best instincts of gentlemen opposite? You are anxious to keep up the Establishment of the Church, and also anxious that the Church should be brought nearer to the people than in the past. If you have imprisonment except in cases of personal violence, there will be no sympathy felt among the people, except for the man imprisoned. If you imprison a man for making a conscientious protest, the first case of the kind will shake the Establishment to its very foundations. I would therefore appeal to gentlemen opposite—although, of course, we must fight on the Report stage—to restrict imprisonment, as far as their own proposals are concerned, to cases of personal violence, and personal violence alone.

*(11.50.) SIR J. SWINBURNE: I have no confidence in leaving matters over to the Report stage. The discussion on Report is confined to the narrowest limits, and I would certainly advise my hon. Friends below the Gangway not to agree to anything of this sort depending upon the Report.

*(11.52.) MR. G. OSBORNE MORGAN: I would point out that the clause is a very fair clause, even as the Bill is framed. It is, of course, absurd to say that if a man picked a pocket he cannot be imprisoned under the present law. I would point out to the Government that we all agreed that the power of the County Court Judge should be restricted to cases of violence.

(11.54.) MR. CONYBEARE (Cornwall, Camborne): I want to ask the Government whether, in order to enlighten us on this point, they could give us an assurance to the effect that a mere exclamation, or a mere expression of opinion, on the part of persons who feel themselves to be the victims of injustice shall not be a reason for imprisonment? I would remind the Committee that I was imprisoned in Ireland for saying simply, "Three cheers for the Plan of Campaign!"

*(11.55.) SIR R. WEBSTER: No one could possibly be imprisoned under this Bill for a mere exclamation or cry. If hon. Members will only look at the words of Clause 48 of the Act of 1868 they will see what it is we propose.

MR. J. BRYN ROBERTS: I would appeal to my hon. Friend below me to withdraw the clause now. There was a sort of understanding that we should finish to-night, and in my view my hon. Friend's proposal does not carry the law a bit further than it is laid down in the County Courts Act of 1868.

*(11.56.) MR. S. T. EVANS: Is the Attorney General willing to confine cases of imprisonment to this one Section 48?

*SIR R. WEBSTER: I am not aware that I ever said I desired to avail myself of any other section. There is no other section applicable. I have never suggested by one word that there should be any liability except under this section.

Motion and Clause, by leave, withdrawn.

*(11.57.) MR. SYDNEY GEDGE: I do not know whether my right hon. Friend will accept the clause which stands in my name——

*SIR M. HICKS BEACH: I really must appeal to the hon. Member——

*MR. SYDNEY GEDGE: I have not sat down yet.

*SIR M. HICKS BEACH: You can move it on Thursday.

*MR. SYDNEY GEDGE: I cannot be here on Thursday.

*SIR M. HICKS BEACH: Some one else can do it for you.

*MR. SYDNEY GEDGE: Not on Report. The clause is very important. It is as follows:—

> "No tax nor rate which shall be levied upon or be payable in respect of any tithe rent-charge shall become due until the person entitled to the same tithe rent-charge has received at least one-fourth part thereof."

I would point out that all other classes who have to pay the rates are in occupation of the premises on which the rates are charged. The clause would remove a very gross injustice. [The remaining observations of the hon. Member were inaudible, owing to cries of "Divide!" and "Agreed!"]

It being Midnight, the Chairman left the Chair to make his Report to the House.

*(12.1.) SIR M. HICKS BEACH: I wish to express my great obligations to hon. Members opposite for the anxiety they have shown to get through the Committee stage to-night, and I regret that they were not seconded by my hon. Friend behind me. Believing that the House is practically unanimous in the desire to get it through, I will put down the Bill again for to-morrow, with the Amendments for the Report stage, in order that they may appear on the Paper on Wednesday morning.

Committee report Progress, to sit again to-morrow.

INDIAN COUNCILS ACT (1861) AMENDMENT (No. 2) BILL.—(No. 171.)

SECOND READING.

Order for Second Reading read.

(12.3.) MR. BRYCE (Aberdeen, S.): As great interest is taken in this Bill, and it is desired to have a proper Debate on it, might I ask the Government if they would put it down as a first Order for some night, and to let us know when it will come on?

*THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): I will consider the hon. Member's recommendation, and see how far it is possible to meet it.

Second Reading deferred till Thursday.

POLLEN FISHERIES (IRELAND) BILL. (No. 91.)

COMMITTEE.

Considered in Committee.

(In the Committee.)

Mr. Sydney Gedge

(12.10.) MR. T. M. HEALY (Longford, N.): Between now and Report would the hon. Member who has the Bill in charge consider the question of limiting it to Lough Neagh? It would be undesirable that the police should have these powers over every river and lake in Ireland. It is a fact, I believe, that the pollen is confined to this one particular district in Ireland.

MR. MACARTNEY (Antrim, S.): I have no objection to the suggestion of the hon. Member; but I should think such a provision unnecessary, as pollen is only fished in this one lake, though I believe it is to be found in one or two other places.

MR. T. M. HEALY: It seems to me undesirable to give policemen power to go rampaging all over the country on the pretence that they are looking for pollen. Will the hon. Member consider the matter before the Report?

*THE ATTORNEY GENERAL FOR IRELAND (Mr. MADDEN, Dublin University): I will consider the question of limiting the operation of the Bill before the Report stage.

Bill reported, as amended; to be considered upon Thursday.

DRAINAGE AND IMPROVEMENT OF LAND (IRELAND) BILL.—(No. 66.)

Considered in Committee.

(In the Committee.)

Clause 1.

Committee report Progress; to sit again upon Monday, 16th February.

KITCHEN AND REFRESHMENT ROOMS (HOUSE OF COMMONS).

Ordered, That a Select Committee be appointed to control the arrangements for the Kitchen and Refreshment Rooms, in the Department of the Serjeant at Arms attending this House.

The Committee was accordingly nominated of:—Mr. H. Anstruther, Mr. Broadhurst, Mr. William Corbet, Mr. Cremer, Mr. Flower, General Goldsworthy, Colonel Hamilton, Mr. Herbert, Mr. Lafone, Mr. Cowley Lambert, Viscount Lewisham, Colonel Malcolm, Mr. William M'Arthur, Mr. John O'Connor and Mr. Richard Power.

Ordered, That five be the quorum.—(*Mr. Herbert.*)

House adjourned at a quarter after Twelve o'clock.

HOUSE OF LORDS,

Tuesday, 3rd February, 1891.

The Lord Fitzhardinge—Took the Oath.

STANDING ORDERS RELATING TO STANDING COMMITTEES.

THE LORD PRIVY SEAL (Earl CADOGAN): My Lords, the Committee which the House appointed a few days ago to examine into the Standing Orders of the House which relate to Standing Committees, have considered the subject, and have embodied their conclusions in a Report which I now have the honour to lay upon the Table. That Report will be circulated, and in it will be found the full text of the new Standing Orders, which the Committee recommend should be adopted by your Lordships. I think it will be for the convenience of the House that a week should be given in order to consider these proposals, and I therefore beg to give notice that this day week I shall move the adoption of the new Standing Orders in accordance with the recommendations of the Committee.

Report from the Select Committee (with the proceedings of the Committee and appendix) made, and to be printed; and to be taken into consideration on Tuesday next. (No. 26.)

FACTORY AND WORKSHOPS BILL [H.L.].

A Bill to amend the law relating to factories and workshops—Was presented by the Lord Kenry (*E. Dunraven and Mount-Earl*); read 1ª; and to be printed. (No. 27.)

PRESENTATION TO BENEFICES BILL [H.L.]—(No. 5.)

SECOND READING.

Order of the Day for the Second Reading, read.

THE BISHOP OF LICHFIELD: I beg to ask your Lordships to give a Second Reading to this Bill. It passed through your Lordships' House last year, and is now presented precisely in the form in which it then obtained your approval. I therefore think it quite unnecessary to make any observations about the intent or purposes of the Bill.

Bill read 2ª (according to order), and committed to a Committee of the Whole House on Friday next.

LICHFIELD CATHEDRAL BILL [H.L.]—(No. 6.)

Order of the Day for the Second Reading read, and discharged; and Bill referred to the Examiners.

TRAMWAYS ORDER IN COUNCIL (IRELAND) (ATHENRY AND TUAM RAILWAY) BILL.—(No. 19.)

Read 3ª (according to order), and passed.

House adjourned at twenty-five minutes before Five o'clock, to Thursday next, a quarter past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, 3rd February, 1891.

UNOPPOSED MOTIONS.

CARGOES ON SUNDAYS IN FOREIGN PORTS.

Address for—

"Return of the Regulations in force as to the working of Cargoes on Sundays in the principal Foreign Ports and Harbours of Europe and America."—(*Admiral Field.*)

ROYAL NATIONAL LIFEBOAT INSTITUTION.

Return ordered—

"Of Copies of Correspondence which has passed between the Royal National Lifeboat Institution, the Trinity House, and the Board of Trade, respecting the suggested removal of wrecks off Palling and other places in that vicinity on the coast of Norfolk, under the provisions of 'The Removal of Wrecks Act, 1877, Amendment Act, 1889.'"—(*Sir Edward Birkbeck.*)

EAST INDIA (FACTORIES).

Address for—

"Copy of Report of the recent Commission on Indian Factories."—(*Sir William Houldsworth.*)

CORN AVERAGES.

Copy ordered—

"Of Statistical Tables of Corn Prices for the year 1890, with Comparative Tables for previous years, and Memorandum."—(*Sir M. Hicks Beach.*)

Copy presented accordingly; to lie upon the Table, and to be printed. [No. 71.]

COLONISATION.

Ordered—

"That the Minutes of Evidence taken before the Select Committees on Colonisation in Sessions 1889 and 1890, the Report on the Condition of the Highlands in 1851, the Report of the Select Committee on Game Laws in Session 1873, the Report of the Royal Commission on Crofters and Cottars in 1883, the Report on the Cottars in the Lews in 1888, and the Report of the Western Highlands and Islands Commission in 1890, be referred to the Select Committee on Colonisation."—(*Sir James Fergusson.*)

QUESTIONS.

COLONEL'S ALLOWANCES IN INDIA.

MR. KING (Hull, Central): I beg to ask the Under Secretary of State for India whether, in view of the continued loss which is being inflicted on Colonels in receipt of Colonel's allowances who have elected to reside in India, by paying them their allowances on retirement, of £1,124 5s. per annum, in rupees at a rate of 2s. ½d. per rupee, whereas the current rate of exchange has for some years ranged below 2s., and lately below 1s. 6d., while, at the same time, all Colonels similarly situated who reside in any other parts of the world are permitted to draw the full amount of £1,124 5s. in England in sterling, the Secretary of State will re-consider previous rulings on the subject, and take steps to remedy the grievance; and whether the loss now amounts practically to a fine of about 5,000 rupees per annum on a retired officer for electing to reside in India?

THE UNDER SECRETARY OF STATE FOR INDIA (Sir J. GORST, Chatham): The Secretary of State in Council has recently decided that an officer, entitled to draw "Colonel's allowances" together with English pay, may, wherever he resides, draw the amount of £660 12s. 5d. together with his English pay from the Home Treasury in London, either personally or by agent.

INDIAN COUNCILS (No. 2) BILL.

MR. WALTER M'LAREN (Cheshire, Crewe): I beg to ask the First Lord of the Treasury whether he will undertake that the Indian Councils (No. 2) Bill shall be taken as a first Order of the Day, after due notice, when it is discussed; and if he can state when it will come on?

*THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): I am sure that the hon. Gentleman will see that I am not in a position at present to possess the information which would enable me to answer the question.

MR. BRYCE (Aberdeen, S.): Can the right hon. Gentleman say whether he will undertake to bring it on as the first Order, and that he will give some substantial notice as to when it may be expected to come on?

*MR. W. H. SMITH: I can only say that in the conduct of Public Business it is very difficult to say when any particular measure may be expected to be brought on.

MIDDLESEX MAGISTRATES.

MR. HOWARD VINCENT (Sheffield, Central): I beg to ask the Secretary of State for the Home Department with regard to the fact that the privileges of the Justices of the Peace for the County of Middlesex, prior to the enactment of "The Local Government Act, 1888," were specially reserved by that statute, whether any disability to act attends them if their residence ceases to be within the present county area of Middlesex, but continues in that of the new County of London?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): The answer to the first paragraph is in the affirmative. As to the second, Justices of Middlesex who reside in the County of London will have in Middlesex jurisdiction to act in all cases in which the Summary Jurisdiction Acts enable a gentleman who is a Justice for two adjoining counties to act in one, although he resides in the other.

REFORMATORY AND INDUSTRIAL SCHOOLS.

MR. HOWARD VINCENT: I beg to ask the Secretary of State for the

Home Department if he proposes to re-introduce and press forward the Bills dealing with reformatory and industrial schools, in accordance with the wishes of the great majority of Managing Authorities; and, in the contrary case, if, having regard to the considerable proportion of the inmates of such institutions whose parents have forfeited all moral right to further control over them, and least of all to profit by their education and maintenance from public funds, he will re-introduce in a short Bill the clauses empowering the managers to provide for well-conducted boys, with their consent, as if they were their parents?

MR. MATTHEWS: The Managing Authorities were the most energetic opponents of the Bills dealing with the reformatory and industrial schools, and the chief cause of their withdrawal. I think it is doubtful whether time can be found for discussing them this year. If they are introduced they will contain provisions for the ultimate disposal of children, and for retaining control over them after their discharge. But I would remind my hon. Friend that the existing practice of the Home Office, founded upon Section 28 of the Act of 1866, goes nearly as far in the direction of clothing managers with parental functions as Parliament is likely to allow, and it would not be worth while to introduce a Bill dealing with this specific subject apart from the other provisions of the Bills.

INHABITED HOUSE DUTY.

MR. MONTAGU (Tower Hamlets, Whitechapel): I beg to ask the Chancellor of the Exchequer whether his attention has been called to the decision in the case of Weguellin v. Wayall, 14 Queen's Bench Division, 838, restricting the exemption of business premises from Inhabited House Duty to cases where only one caretaker is kept, irrespective of the size of the premises, and that this decision prevents bankers and others who have a watchman from employing a caretaker unless they pay the duty on the entire premises, thus injuriously affecting porters and messengers who, but for this restriction, would be employed also as caretakers in large buildings in the City of London; and whether the Government will take steps to remedy this grievance, either by exempting business premises entirely, or by making the duty payable only on the value of such part of the premises as may be occupied by the caretakers?

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): In the case referred to, the Court decided that business premises in charge of a caretaker who has dwelling with her a son—in independent employment—a daughter, and a servant were not within the exemption in favour of such premises dwelt in by a caretaker of the nature of a menial servant. But in practice no objection is raised by the Board of Inland Revenue in cases where the Local Commissioners give relief where two caretakers are employed, provided they are both menial servants, nor in cases where the caretaker has residing with him members of his family who are dependent on him for protection and support. No legislation is necessary on the subject.

THE TOWER OF LONDON WHARF.

MR. MONTAGU: I beg to ask the Secretary of State for War if he would state the number of barges moored at the Tower of London Wharf during 1890, and the number of barges so moored on the Saturdays of that year; and if he will state the result of the inquiries he promised to make, with the view of admitting the public to the riverside promenade on Saturdays and Sundays?

THE FINANCIAL SECRETARY TO THE WAR OFFICE (Mr. BRODRICK, Surrey, Guildford): There were 42 barges moored at the Tower Wharf during 1890, and of these a barge was moored alongside on three separate Saturdays. As regards the second question, perhaps the hon. Member will kindly repeat it in two or three weeks time.

GOLD COINAGE BILL.

MR. MONTAGU: I beg to ask the Chancellor of the Exchequer when he intends to introduce the Gold Coinage Bill?

MR. GOSCHEN: I will answer the question of the hon. Member in about a week's time.

THE ROUND TOWER OF ABERNETHY.

SIR JOHN KINLOCH (Perth, E.): I beg to ask the Lord Advocate whether he can give the House any information as to whether the historic Round Tower of Abernethy is one of the monuments which have come under the control of the Commissioners of Works under "The Ancient Monuments Protection Act, 1882," and in whom the estate in the same is vested; and who has the right of access to, and control of, the same, whether the heritors, the parish minister, or other individual?

*THE LORD ADVOCATE (Mr. J. P. B. ROBERTSON): The Tower of Abernethy is not one of the monuments coming under the provisions of the Act referred to. I am informed that it belongs to the Earl of Home, and kept in preservation by him, and the privileges of access to the Town Council or parish officer which now exist are granted by him.

PENSIONS—MR. THOMAS CADMAN.

MR. J. W. SIDEBOTHAM (Cheshire, Hyde): I beg to ask the Secretary to the Treasury whether he has yet obtained an opinion from the Law Officers of the Crown as to the legality of the pension award which has been made in the case of Mr. Thomas Cadman, late Her Majesty's Inspector of Mines for the South Western District; and, if so, what that opinion is?

THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.): Yes, Sir, as I promised my hon. Friend, I obtained the opinion of the Law Officers of the Crown as to the legality of the award; and their opinion, dated September 9, was to the effect that the decision of the Treasury is within their legal powers, and cannot be questioned by the Courts of Law.

QUEEN ANNE'S BOUNTY.

MR. SEALE HAYNE (Devon, Ashburton): I beg to ask the Secretary to the Treasury, in reference to the last account of the Governors of Queen Anne's Bounty presented to Parliament, what is the nature of the ground rents on which capital sum of £285,916 5s. 6d. has been invested; whether they are terminable improved ground rents, or ground rents including the reversions, and where these properties are situated; and whether, in future annual accounts to be presented to Parliament, the same detailed information as to the nature and situation of these properties will be given by the Governors as is given in respect of their other Stocks, funds, securities and railway investments?

MR. JACKSON: I am able, by the courtesy of the Secretary of Queen Anne's Bounty, to give the information. The ground rents referred to are freehold ground rents, including the reversion. They are chiefly in London; others are being purchased. If the hon. Member will write as to any improvement that he thinks can be effected in the annual Return, the suggestion will receive careful consideration.

NAVAL ARMAMENTS VOTE.

MR. DUFF (Banffshire): I beg to ask the First Lord of the Admiralty whether his attention has been called to paragraph 16 of the Fourth Report of the Committee on Public Accounts, recording their opinion

> "That the present mode of administering the Naval Armaments Vote is not consistent with the provisions of the Exchequer and Audit Act;"

to the further fact that the Chancellor of the Exchequer gave an assurance to the said Committee (paragraph 14) that the irregularity complained of would be dealt with by an Inter-Departmental Committee, presided over by the Secretary to the Admiralty; and whether the Committee referred to have issued their Report; and, if so, whether there is any objection to lay the whole Report, or at any rate that portion of it dealing with the subject referred to, upon the Table of the House?

*THE FIRST LORD OF THE ADMIRALTY (Lord G. HAMILTON, Middlesex, Ealing): The Committee have reported, and the War Office and Admiralty have taken such joint action as will enable the Admiralty to take charge, on April 1 of this year, of all Naval Ordnance Votes. The Committee's Report deals with both the quantity as well as the character of the stores to be transferred, and it would not be advisable to make it public.

WALL MARSH, SHEERNESS.

MR. HERBERT KNATCHBULL-HUGESSEN (Kent, Faversham): I beg to ask the Secretary of State for War if he can explain why, on the 28th day of January last, the public were excluded, by order of the War Department authorities at Sheerness, from a football match played in Wall Marsh, Sheerness, although the said marsh has been open to the public for many years?

MR. BRODRICK: I must ask my hon. Friend kindly to postpone the question for a day or two, as we have not yet received the information that will enable us to answer it.

THE SAVINGS BANK DEPARTMENT.

MR. JAMES ROWLANDS (Finsbury, E.): I beg to ask the Postmaster General whether he received a Petition from the male sorters of the Savings Bank Department in November, 1889; whether his attention was again drawn to the Petition when he received a deputation from the London sorting force in June, 1890, and that he then promised to make inquiries and to give his decision with regard to the Petition; and whether he has had such inquiry made, and can give the sorters his decision upon their Petition.

*THE POSTMASTER GENERAL (Mr. RAIKES, Cambridge University): The reply to the hon. Member's questions is in the affirmative. My decision was communicated to the sorters in the Savings Bank on the 2nd of August last.

BRITISH TRADE IN THE PACIFIC.

SIR THOMAS ESMONDE (Dublin Co., S.): I beg to ask the Secretary of State for the Colonies if the Government will consider favourably the Resolution adopted at the recent meeting of the Australasian Federal Council, praying that the restrictions on British trade with the Natives of the islands of the Pacific might be made to apply alike to all Nationalities?

THE UNDER SECRETARY OF STATE FOR THE COLONIES (Baron H. de WORMS, Liverpool, East Toxteth): It will be desirable to receive the text of the Resolution before attempting to judge what can be done in the matter.

LATE SITTINGS AT ASSIZES.

MR. PICKERSGILL (Bethnal Green, S.W.): I beg to ask the Secretary of State for the Home Department whether he has remitted the remainder of the sentence of five years' penal servitude, passed on a woman who was convicted at the last Chester Assizes, before a Court which had been sitting for over 14 hours; whether his attention has been drawn to the fact that similarly protracted sittings frequently occur in Crown Courts at Assizes; and whether he will take such steps as will render unnecessary the continuance of this practice?

MR. MATTHEWS: Yes, Sir; I advised the remission of this sentence, not on the ground that there had been a long sitting of the Court, but on a careful review of all the facts of the case, and with the concurrence of the learned Judge. The attention of the Home Office has not been called to any frequent occurrence of protracted sittings at Assizes. They are sometimes rendered necessary, in order to dispose of the Crown cases before the Judge of Assize is obliged to proceed to another town; and I doubt whether it would be possible to make any arrangement which would prevent this necessity occasionally arising, unless the time allotted to each assize town were much prolonged, with the consequence that judicial time would be frequently wasted.

FISCAL ARRANGEMENTS WITH THE COLONIES.

MR. JAMES LOWTHER: I beg to ask the Under Secretary of State for the Colonies whether the attention of Her Majesty's Government has been called to the strong expressions of opinion which have recently emanated from high authorities in various portions of our Colonial Empire, in favour of the establishment of preferential fiscal arrangements between the Mother Country and the Colonies; and whether Her Majesty's Government are prepared to afford an opportunity for these urgent questions being considered without delay at a Conference with the representatives of the self-governing Colonies?

BARON H. DE WORMS: The question is under the careful consideration of Her Majesty's Government, and I am unable at present to give any more definite reply.

MR. J. LOWTHER: Is my right hon. Friend aware of the extreme urgency of the question?

BARON H. DE WORMS: Yes, I am aware of it, and for that reason I have stated that the question is being carefully considered.

THE BEHRING SEA FISHERIES.

SIR GEORGE BADEN-POWELL (Liverpool, Kirkdale): I beg to ask the Under Secretary of State for Foreign Affairs whether he can give any further information as to the telegraphic report that the Supreme Court of the United States has given its decision that it has direct control over the Courts of the territory of Alaska, and that it will entertain a motion for a Writ of Prohibition in the case of the British schooner *W. S. Sayward* arrested by the Alaska Courts for alleged illegal sealing in Behring Sea?

THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir J. FERGUSSON, Manchester, N.E.): The following telegram has been received this morning from Her Majesty's Minister at Washington:—

> "*Sayward* case. The Supreme Court to-day granted leave to file petition and suggestion for Writ of Prohibition, and directed issue of rule to show cause, returnable second Monday in April. The Chief Justice, in announcing this decision, said that opportunity had been afforded United States to oppose the motion for leave to file the application, and the argument had taken much wider range than was justified, but the Court was satisfied of its jurisdiction to issue the writ applied for. The Solicitor General stated that the United States desired matter promptly disposed of."

THE PURCHASE OF LAND (IRELAND) BILL.

MR. KEAY (Elgin and Nairn): I beg to ask the Chancellor of the Exchequer whether it is the intention of Her Majesty's Government to insert in the Purchase of Land and Congested Districts (Ireland) Bill any provisions fixing a maximum beyond which land stock cannot be issued, as was done in the Ashbourne Acts; whether, as the Bill now stands, the maximum amount to be issued could be doubled by doubling the annual Imperial contributions and grants to Ireland; and whether there is any precedent for providing by Act of Parliament for the issue of Stock to an amount unnamed?

MR. GOSCHEN: Of course, the hon. Member is aware that there is a maximum in one sense in the Bill, namely, the maximum of 25 times of the Guarantee Fund; but there is no other maximum. I am not aware that my right hon. Friend the Chief Secretary proposes to introduce one. As the Bill stands, no doubt the maximum amount may be increased as the Imperial contributions increase; but I do not think that the suggestion that the Government should double the annual Imperial contributions and grants to Ireland is within the range of practical politics. Of course, it will be open to any future Parliament to limit a sum if the contributions are increased. I have not had time to examine the third point raised by the hon. Member.

THE NEW MAGAZINE RIFLE.

MR. DAVID THOMAS (Merthyr Tydvil): I beg to ask the Secretary of State for War whether Mark III. of the new magazine rifle is now in process of manufacture at Enfield, or is contemplated; who are the persons responsible for the selection of ·303 as the calibre of the new rifle, in the face of the opinions of practical experts to the contrary; whether the same has been condemned by Government experts as too small for accurate shooting, owing to liability to accumulate fouling, and other defects; whether any increase in size of the calibre has been decided upon, or is contemplated; whether Marks I. and II. can be converted to Mark III. or not; and whether any, and, if any, how many, workmen have been recently discharged from the Enfield Factory; and, if so, can he explain for what reason?

MR. BRODRICK: Mark III. of the new rifle is not in contemplation. Every nation in Europe has adopted a smaller bore rifle; and Government experts in this country have not condemned it. During the four weeks ending on the 31st of January 90 men were discharged from the Enfield factory, a decreased output being required from Enfield now that trade firms are commencing supplies of the magazine arm.

LABOURERS' ALLOTMENTS.

SIR WALTER FOSTER (Derby, Ilkeston): I beg to ask the First Lord of the Treasury whether his attention has been called to the statement that in a communication from the Commissioners of Woods and Forests the people of

Billingborough were informed that Sir Nigel Kingscote as—

> "At present advised would not be disposed to grant to labourers allotments which, either in themselves or with other allotments now held by them, would exceed half an acre,"

whilst, under the Allotments Acts of 1882 and 1887, Charity Trustees and Sanitary Authorities may be called upon to provide allotments of an acre; and whether it is in the power of any Department to evade the intention of the law by declaring that where the land in a particular district is under the control of the Commissioners of Woods and Forests the labourers shall have only half an acre each instead of the acre they might have demanded had the ownership been invested in Charity Trustees or private individuals?

*MR. W. H. SMITH: In answer to the hon. Member, I have to say that there appears to be some misunderstanding as to the action taken by the Commissioners of Woods and Forests. The quotation made is not quite complete, and, as a matter of fact, the land which has been appropriated for allotments by the Commissioners of Woods has not been limited to plots of half an acre; on the contrary, where applicants could show that they could satisfactorily deal with the larger quantity, plots of one acre have been allowed. The Commissioners of Woods have never shown any desire or intention to evade the law; in fact, I believe the management of the property in charge of the Commissioners of Woods will compare favourably for liberality with any other estates.

REPORT OF THE CHIEF COMMISSIONER OF POLICE OF THE METROPOLIS.

MR. JAMES ROWLANDS: I beg to ask the First Lord of the Treasury whether his attention has been called to the fact that the Report of the Chief Commissioner of Police of the Metropolis, 1889, was not circulated to the Members of the House until the 31st January, 1891; and whether he can promise that in future the Report shall be issued as soon as possible after the close of the year?

THE UNDER SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. STUART WORTLEY, Sheffield, Hallam): I have been asked by my right hon. Friend to reply to this question. I regret that there has been delay in this case. The Report was received by the Secretary of State on the 28th August, which was not much later than the usual time, but which was after Parliament had risen. The opportunity for presentation in the Autumn Session was unfortunately overlooked until December 8th, on which day presentation was effected. The distribution to Members rests with the authorities of the House; and the Secretary of State has no knowledge of the causes which led to the delay between presentation and distribution. I cannot undertake that the Report shall be received in the Home Office much earlier; but will endeavour to secure in future cases its distribution to Members of Parliament and the public within a short time of its being received by the Secretary of State.

MR. J. ROWLANDS: Is it not possible to produce and circulate this Report in time to enable Members to have it in their hands when the Police Estimates are discussed?

MR. STUART WORTLEY said that the Report never had been out soon enough to be available for discussion in Debate on the Police Vote.

THE METROPOLITAN WATER SUPPLY.

MR. CAUSTON (Southwark, W.): I beg to ask the First Lord of the Treasury, with regard to his promise to offer facilities for referring to either a Select or Hybrid Committee the various Bills now before Parliament relating to the acquisition by some Public Body of the Water Companies of the Metropolis, whether he will give facilities for the passing of the Metropolitan Water Companies' Charges Bill, which contains provisions to prevent the companies from raising their rates through the quinquennial re-valuation of property, in prospect of the early purchase by the public?

*MR. W. H. SMITH: It will be impossible for the Government to give facilities for such a Bill, as our responsibilities must be limited to finding time for Government measures. I will not enter into any argument as to the matters which are naturally suggested by the question of the hon. Member; but I may say that, if the various Water Bills were referred to a Committee, the Committee would have full powers to consider the terms and conditions on which the undertakings of the companies were to be acquired.

CIVIL SERVICE CLERKS.

MR. JOHN KELLY (Camberwell, N.): I beg to ask the First Lord of the Treasury whether the exceptional promotions of specially meritorious clerks of the Second Division of the Civil Service to the higher grade of that Division, made under Clause 6, paragraph 2, of the Treasury Minute of 21st March, 1890, depend in any way upon or involve any change of organisation, but simply require the recommendation of the heads of Departments and the sanction of the Treasury; whether he can state how many Second Division clerks have been recommended by the heads of their various Departments for such exceptional promotion, and the dates of such recommendations; and whether any decision has been arrived at by the Treasury in these cases?

*MR. W. H. SMITH: A few applications have been received for an examination of Class I. of the Civil Service, and this is not wonderful, since the Government have not permitted an examination for Class I. to be held for more than four years, insisting that vacancies in that class should be filled by such measures as the transfer of redundant officers. I do not admit that the hon. Member cites the Report of the Commission correctly; but, however that may be, we shall, in deciding upon these applications, bear the recommendations of the Commission in mind, carefully considering the necessities of the case, and satisfying ourselves whether redundant officers, qualified by age and acquirements for transfer to other offices, are available.

MR. JOHN KELLY: I beg to ask the First Lord of the Treasury whether certain Departments of State are at the present time urging that an examination for clerkships (Class I.) in the Civil Service should be held in order to fill up vacancies in the First Division; and, if so, whether it is intended to hold such examination in spite of the fact that in the Report of the Civil Establishments it is repeatedly pointed out that the higher branches of the Civil Service are over-manned, and that there are at present plenty of redundant clerks to fill any existing vacancies?

*MR. W. H. SMITH: I observe that this question is almost identical in terms with a question put by the hon. Member to me on the 27th ult., and I cannot add anything to the answer I then made.

LAND PURCHASE IN IRELAND.

MR. T. M. HEALY (Longford, N.): I beg to ask the Attorney General for Ireland whether he is aware that, on 23rd November, 1888, Lord Waterford issued a writ in ejectment forth of the Queen's Bench Division (O. No. 109) against Michael Keily, of Tramore, for two and a half years' rent of a statutory tenancy at £5 10s. a year; that the tenant thereupon, to avoid eviction, agreed to buy the holding under the Ashbourne Act; what is the amount of the instalment Mr. Keily agreed to pay the Government annually, what is the date of the agreement, and the amount of the purchase money; in how many cases has Lord Waterford bought back from the Purchase Commissioners holdings sold by him to tenants, and since evicted by them; will the Government provide that holdings so repurchased by landlords shall not be assigned, redeemed, or resold by the owner under the Purchase Acts during the 49 years; and in how many cases, if any, have the Purchase Commissioners been obliged to proceed, specifying whether by eviction or otherwise, owing to non-payment of instalments, and the names of the landlords who sold in such cases?

THE ATTORNEY GENERAL FOR IRELAND (Mr. MADDEN, Dublin University): The Land Commissioners report that on December 1, 1888, Michael Keily signed and verified an agreement for the purchase of his holding in the townland of Carrigarantry South, containing 16 acres 3 roods 7 poles, held at a judicial rent of £5 10s., the tenement valuation being £7. The price agreed upon was £150, the annuity thereon £6. The Commissioners caused the holding to be inspected in June, 1889, and, being satisfied as to the security, they provisionally sanctioned the advance applied for, and the case was closed in December, 1889. The Marquess of Waterford purchased four holdings which were put up for sale for default in payment of the instalments, there being no competition at these sales. As stated in the Annual Report of the Commissioners (page 10), "These holdings were sold subject to the future payment of the annuity." The holdings are therefore subject to all the conditions laid down in Section 30 of the Land Law (Ireland) Act, 1881. The Commissioners cannot make a Return of the cases in which, during a period of more than five years, they may have instituted proceedings for the recovery of unpaid instalments. A Return, however, has recently been laid upon the Table of the holdings in which final proceedings were necessary by putting up for sale the holdings in which the instalments were in default. I am informed no pressure whatever was used to induce the tenant to buy; that he was never asked to do so; and that it was at his own desire, put forward by him on the ground that he was the only remaining tenant on the townland who had not purchased, that he was permitted to do so.

In reply to a further question by Mr. T. M. HEALY,

MR. MADDEN said: Whether the Government regards this state of things as satisfactory or not, the tenant appears to have regarded it as eminently satisfactory, seeing that the sale was effected at his urgent request.

MR. T. M. HEALY: Of course, it was at his urgent request in order to preserve the holding. Am I to understand that no duress was put upon the man?

MR. MADDEN: Certainly not. The holding was examined by the Land Commissioners, who considered the security sufficient.

MR. T. M. HEALY: I beg to give notice that when the Land Purchase Bill is before the House I will move an Amendment to provide that the annual instalments paid under the Act shall not exceed the annual rent now paid.

MR. FLYNN (Cork, N.): What security have the Government got?

MR. MADDEN: The 16 acres, the tenement valuation of which is £7 a year.

THE DONEGAL MILITIA.

MR. ARTHUR O'CONNOR (Donegal, E.): I beg to ask the Secretary of State for War if it is his intention to encamp the 5th Inniskilling Fusiliers (Donegal Militia) during their period of training, instead of billeting them as heretofore; and, if so, where; and whether he will, before directing any change, consult with the Chief Secretary as to the probable financial effect upon the poorer householders of Lifford of any sudden alteration of system?

*MR. BRODRICK: The Donegal Militia will be trained at Lifford, as heretofore; but since, for military considerations, billeting is avoided whenever possible, and the objections to it are so well known, it has been decided that this year the men shall be encamped.

CORK BANKRUPTCY COURT.

MR. MAURICE HEALY (Cork): I beg to ask the Attorney General for Ireland whether the attention of the Lord Chancellor has been called to the recent Report of the Cork Chamber of Shipping and Commerce with reference to the Local Court of Bankruptcy, and the importance and desirability of extending its jurisdiction to the Counties of Kerry and Waterford; whether this could be done with the existing local staff, and without involving any additional expense; whether the Court is at present worked at a loss to the Treasury but would pay its way if the two additional counties were added; and whether, in view of the close commercial relations which exist between the Counties of Kerry and Waterford and the City of Cork, the Lord Chancellor will now, by Order in Council, bring the counties mentioned within the jurisdiction of the Court?

MR. MADDEN: As I stated in reply to a similar question put by the hon. Member on the 11th of July last, the subject of the development of the local jurisdiction conferred by the Act of 1888 on this Court is engaging the careful consideration of the Lord Chancellor of Ireland. He is, however, of opinion that it would not be wise to take the step suggested in the question until we have had further experience of the working of the Courts constituted by that Act.

THE CRIMES ACT.

SIR THOMAS ESMONDE: I beg to ask the Attorney General for Ireland if he can explain upon what charge, and upon whose authority, 11 women have been arrested in connection with an inquiry held at Castlerea under the Criminal Law and Procedure (Ireland) Act?

MR. MADDEN: I have called for Reports to enable me to answer the question.

MOTIONS.

TRADING REGISTRATION BILL.

On Motion of Mr. Arthur O'Connor, Bill for the more effectual prevention of fraudulent Trading, ordered to be brought in by Mr. Arthur O'Connor, Mr. Addison, and Sir Albert Rollit.

Bill presented, and read first time. [Bill 183.]

MAGAZINE RIFLE.

*(4.10.) MR. MARJORIBANKS (Berwickshire) rose to call attention to the new Magazine Rifle; and to move—

> "For the appointment of a Royal Commission to inquire into its merits and all the circumstances attending its adoption."

The right hon. Gentleman said: I am afraid I shall be obliged to make a large demand on the patience and indulgence of the House in bringing this subject forward. I am bound to confess that the nearer I approach the task I have undertaken the more difficult it appears to me, because, while I cannot pretend to be an expert in mechanics and ballistics, I have undertaken to explain to the House the details of a most complicated and ingenious machine, in whose very complexity and intricacy some of its chief defects are to be found. I am still further placed in a difficulty, because Mr. Speaker has informed me that I should not be in order in bringing a rifle into the House, by means of which I might have given an object lesson to the House in regard to the many points of the rifle. Neither have I the power to exhibit drawings to House. This is not the only difficulty of the position, because I find that the House is absolutely wanting in any official knowledge of this weapon. The Report of the Small Arms Committee, who chose the weapon, has been refused to us. There is no Report whatever with regard to the 15,000 rifles which, we are told, were placed in the hands of the troops during 1890. I am informed that something like 50 per cent. of these rifles have been returned to the armoury for repair, and I hear on the best authority that in the case of one single regiment 280 boltheads failed, and 400 mainsprings broke down in the weapons served out. The only Report before the House is the Report of a trial made of 350 rifles which were issued to various regiments and ships' companies in the year 1888. With regard to my own attitude, I wish to say that I am not the mouthpiece of any inventor. I come to the subject with an entirely open mind. My desire is, as I believe it is the desire of the Secretary for War and every official, that the country shall have the best possible weapon at the smallest possible cost. It has been said it is unfortunate that I, as a Party Whip, should have been called to bring forward this Motion, but I can assure the House that I have left the question of Party altogether out of sight. I have taken no advantage of my official position, and I think hon. and right hon. Gentlemen opposite will admit that I am hardly likely, from my position, and the Party to which I belong, to be the mouthpiece of the *Times* in the matter. The hon. Member for Preston (Mr. Hanbury) opposes my request for an inquiry on the ground that it would weaken the responsibility of the officials of the War Office. Although the hon. Member appears to agree with me [Mr. HANBURY assented] in the view I take of this weapon, and with regard to the way in which it has been introduced, the hon. Member appears to think that the proper course would have been to ask for a vote of censure on the War Office; but that vote of censure is contained in the Report of the Commission presided over by the noble Lord the Member for Rossendale (the Marquess of Hartington). It seems to me that the best course the House can take is to order a review of the circumstances attending the adoption of this weapon. I shall have to go briefly into the details of the weapon, taking the barrel and ammunition, the body, the bolt, and magazine in order. The calibre of the barrel is ·303. The rifling is seven groove, with the twist to the left on a modified Metford system. There is one turn for every ten inches, or three turns in all. The ammunition provided consists of a solid drawn brass cartridge, with a compressed pellet of black powder of 71½ grains, and a composite bullet weighing 215 grains. I admit one great advantage has been gained, namely, a weapon in which there is practically no recoil. The recoil in this weapon is only 7 lb., while in the Martini-Henry it is 45 lb. Further, a comparatively flat or low trajectory is obtained; but these advantages might have been attained without any change whatever in the breech mechanism. A mere change in the barrel of the Martini-Henry would have given them. A very small bore has been adopted; what are its disadvantages? In the first place, it necessitates a composite bullet. A lead bullet cannot be used. The composite bullet is exceedingly expensive to make, and the cost of ammunition will be greatly increased. I believe that the smallest bore in which it is possible to use a simple lead bullet is ·320, but I should not advise even so small a bore as this, believing ·360 or ·380 to be an amply sufficient reduction in bore for all military purposes. Secondly, there is a considerable loss of accuracy, the small, long, light bullet of the Lee-Enfield is very susceptible to loteral deviation from the influence of wind. I should like to know what any distinguished small-bore shot, were it Sir Henry Halford himself, would say if he were asked to use a ·303 in the competition for the Elcho Shield. And, thirdly, there is a great diminution of striking power. Allusion to this will be repeatedly found in the Report of the trial of rifles in 1888. I do not believe there is an owner of a deer forest in Scotland who would allow a friend to go out to shoot deer with a rifle of this exceedingly small bore. The greatest amount of striking power is obtained in the Express rifle, in which is used a lead bullet with a hole in the top—a device, of course, impossible to adopt for a military arm — which expands in the animal struck, and prevents the bullet from passing through. The body of the rifle is an exceedingly delicate piece of mechanism, which, weighing in its rough forged state no less than 5lb., is reduced after 192 processes to 1¼lb. Owing to the position of the magazine it is necessary to have a hole 3½ inches long through the middle of the rifle. This most expensive portion of the rifle is a mere framework of unhardened iron, only ·10 inches on the under side and that cut away very much for the cut-off. Next, I come to a still more important portion—the bolt of the rifle itself, which I hold in my hand. It has the appearance of being an exceedingly solid and strong piece of mechanism, but I can assure the House it is nothing of the kind; it is a fraud, a snare, and a delusion. This delusion is assisted by the bolt-cover, which I now remove. See the small diameter of the bolt, which is moreover in two parts—the bolt-head and bolt proper, the latter bored out through all its length to contain mainspring and striker. The bolt-head is attached to the bolt by means of the small bolt-head screw, which only projects one-tenth of an inch into a slot cut in the neck of the bolt-head. The wear and tear of the swivelling round of the two parts of the bolt in opening and shutting the breech, and the whole strain of extracting, must be borne by this small surface of the bolt-head screw. From a Return issued this morning, however, it appears that the bolt-head screw has been abolished altogether. This is a very sudden change to have taken place. So late as December last an exhibition took place in the House of an improved pattern of the rifle known as Mark II., and assurances were given that the bolt-head screw was adequate, that all that it required was to be a little better tempered in order to make it perfectly satisfactory. Yet within six weeks the bolt-head screw is abolished altogether. This is not very re-assuring. It leads to the impression that if those who are responsible for this rifle can change their mind so quickly, there may be other flaws of which they may hereafter be convinced. With regard to this bolt-head itself, it appeared to be weak and unsuited to support the great strain which would be thrown on it. This, indeed, was shown from the result of trials that had already been made. A Report has been given us with regard to the trial of 350 rifles. It is contained in a Blue Book, of which a single copy is in the Library, although it has not been presented to the House itself.

*THE SECRETARY OF STATE FOR WAR (Mr. E. STANHOPE, Lincolnshire, Horncastle): I told the right hon. Gentleman that if any Member will move for the Return it will be laid on the Table at once.

*MR. MARJORIBANKS: In the Reports I find that out of 350 brand new rifles no fewer than 12 had their bolt-head fractured, and in 8 the bolt-head cover was fractured. Thus, in 20 cases out of 350, or more than 5 per cent., either the bolt-head or the bolt-head cover was fractured. These figures show that there is great weakness in this portion of the bolt. Attached to the bolt-head is the extractor. It is not a direct extractor, like the Martini-Henry and all our quick-firing guns have, but is a spring snap extractor; it does not precede the cartridge into the chamber, but is pushed past and over the rim of the cartridge, where it is already seated in the chamber. This is a system acknowledged to be wrong in principle. The spring is small and weak, cannot be easily cleaned, will become rusty and corroded by the gases of explosion and be certain to give way. With regard to the striker and mainspring, they ought to be so adjusted as to be easily accessible from the base of the bolt, and not require a special tool to remove them in case of accident. When the bolt is drawn back a very slight touch will screw round the end of the striker and cause the jamming of the gun itself. This defect has been strongly commented on by the Inspector of Musketry at Aldershot, who reports that of the 40 rifles tried nearly all of them were injured at the shoulder from this cause and adds "*this should be rendered impossible.*" When the rifle is at full cock the cocking piece projects 1⅝ inches behind the bolt; a comparatively slight blow would bend the striker and throw the rifle out of gear. The arrangements for safety are most unsatisfactory. It is exceedingly difficult to place the rifle at half-cock, and when it stands at half-cock it is impossible to open it. Even in nimble and agile fingers it will be found difficult to let down the cocking piece to half-cock without its slipping from the hold. The right hon. Gentleman the Secretary for War was good enough to lend me a rifle, which I tried and returned to him. Afterwards I wished to get one for myself and I managed to find one for sale in London. I went to the shop and was about to take it up, when the head man said, "Don't touch that rifle, Sir; it's very greasy. I will show it you." Having wiped it, he proceeded to seize the bolt to work it, but could not open it. He said, "I don't know what's the matter with it." I said, "Why, you have it at half-cock." Now, if an expert like this man, in the quiet of a London shop, finds a difficulty in working the rifle, would not a soldier in the excitement of action, or on a dark night, experience much greater difficulty? One more word with regard to half-cock. If the bolt, instead of being shut home, is only half closed, the soldier may think he has closed it, and he pulls at the trigger. The rifle does not go off, but falls very nearly to half-cock. He sees the bolt standing nearly straight and gives it a knock to knock it down. It does then fall to half-cock, and the rifle refuses to open. Well, these are little things that are very likely to happen on active service, and they are things which a soldier ought not to be subject to. Then I find very great fault indeed with the fact that there is not a proper safety bolt on the rifle. There ought to be a bolt which would fasten at any time, and which, when closed, would still permit the rifle to be opened or shut. To say that the half-cock is any safety at all is simply ridiculous. On the contrary, the present arrangement would, in action, be a source of great danger to the front rank man. Unless it is altered, I, myself, would certainly far sooner be in the rear than in the front rank. Let me now allude to the magazine. A great deal has been sacrificed to this magazine, and yet it is one of the most flimsy things a man ever held in his hand. It consists of a flimsy platform, a weak and flimsy spring and a flimsy case. The magazine is to be attached to the rifle, and is supposed to form a reserve of safety in moments of extreme danger. It is supposed never to be called into play unless what is called, in technical phrase, "the supreme moment" has arrived, but who is to decide as to the occurrence of the "supreme moment?" The soldier, I rather fancy, will think that moment has arrived whenever he is too lazy to put his hand into his pouch. The soldier, it is understood, is to be taught never to use the magazine except under special orders. He is always to be taught to use the method of single-loading. Suppose the "supreme moment" has arrived, and the soldier has received the order and is firing away excitedly, he will most assuredly be likely to fall into the routine of his ordinary drill, and load as a single loader, with his magazine cut-off open. The result with this rifle will be that the cartridges will jam. I will give the House some official opinions on this magazine. From the 2nd Battalion Grenadier Guards we have this view—

"The magazine spring often gets out of order, and cartridges jam, both in filling and loading from magazine."

The Report from Her Majesty's ship *Excellent* says, with reference to the defects in the magazine—

"Springs become weak after much work. Base of a cartridge liable to get under spring cover and cause delay in loading. Jams caused by two cartridges trying to get in chamber together, due to defect of spring cover."

The Committee at Meerut says—

"Magazine flimsy, and could be easily knocked out of shape."

The Official Inspectors of Musketry at Hythe declares that the

"Magazine was easily dented or otherwise injured. Difficult to clean if rusty or dirty inside—liable to be lost.

With special reference to the said magazine they say—

"No advantage can be discovered, and there are certainly many objections. Rapidity not greater than with single loader, when six or more cartridges have to be fired as well as magazine. When magazine fire is interrupted—that is, used in combination with loading from pouch—the rate of firing is very slow."

They add—

"We earnestly hope that even now the principle of detachable magazines may be reconsidered. We understand that the sole object in the introduction of a magazine rifle is to have for a certainty, on some critical moment in a battle, a supply of cartridges which can be fired with great rapidity. So important is this apparently considered, that rapidity in single loading is to some extent sacrificed for it. We are convinced that the machinery on which this effect, the *raison d'être* of a magazine arm, depends, should be a fixed integral part of the rifle, guarded jealously from injury or loss in its place, and effective at the required moment."

Now, Sir, though I do not pretend to have exhausted the list of defects to be found in this weapon, I will not go more into the details of the rifle, but I would wish for one moment to refer to these Reports themselves, and to the conditions under which they were made. 350 magazine rifles were sent out in the autumn of 1888, and 50 carbines, to be tried by various bodies of men. They were all at that time brand new. They were manufactured for the express purpose of being thus handed out for trial. We never have contended that this Committee, and the War Office, and the Enfield authorities were such utterly incapable people that they would turn out a rifle which would break down at the first touch. It would have been a thing beyond conception if these trial rifles had utterly broken down under such circumstances. I must complain of the way in which this Report has been, I might almost say, manipulated. Twenty-two questions were put to the various bodies to whom the rifles were issued. What is called a Summary of these Reports is given in page 144. In that Summary they do not deal with question by question, and give a Summary of the answers favourable or unfavourable to each. The 22 questions are compressed into 14. To show the method of compression, let me give an instance. The second question is as to the liability of clothing or equipment to be damaged by the rifle, and the third as to the liability of the arm, or any portion of it, to be damaged by the rough usage of the service. These are compressed into: "Is the rifle liable to become damaged or to injure the uniform or equipment?" I do think we had a right to expect that in the Summary of the Reports we should have been given a statement of the actual injuries suffered by the rifles, as reported by the various bodies to whom they were submitted. We have no such *data*. We are told the Reports were altogether practically satisfactory, and all mention of hostile criticism, except with regard to the ejector springs, is suppressed. It is curious to notice the different tone of the Reports received from the Army and from the Navy. There are two rather remarkable Reports from naval authorities with reference to the rifle. The officer commanding Her Majesty's ship *Cambridge* says he

"Considers it a matter for the gravest consideration whether the naval rifle should be of so small a bore as ·303 in. He is of opinion the ·402 in. bore would be most suitable for naval service. He prefers 'block action' to the 'bolt.' He does not consider a magazine necessary for the Navy, it being unsuitable for ship work, and it would encourage waste of ammunition. A new weapon not so much required as a superior training to develop to the utmost the powers of the one we possess."

The Board of Officers of the Royal Marine Artillery who considered the matter, report—

> "The present system of magazine not sufficiently advantageous to counterbalance disadvantages of rifle. Board are of opinion that a combination of the magazine rifle barrel and the Martini-Henry block system would constitute a better rifle."

Besides this, we have the Report from the officers and sergeant instructors at Hythe, and it does seem to me that if any body of men are worth listening to on such a matter it is they. I do not want to weary the House by reading their Report; I will merely read a Memorandum on that Report by General Sir Redvers Buller, which sums it up in a single sentence. He says—

> "There is not much in this, except a general condemnation of the rifle which has just been approved."

I must say it seems to me very strong action to have lightly set aside so decided a Report from such a quarter. With regard to the Committee which was primarily responsible for the magazine rifle, no one Government can be held accountable for it. It was appointed as far back as April, 1883, and continued at work until 1888; and it consisted of three soldiers, General Philip Smith, Colonel Slade, and Colonel Tongue, one naval officer, Captain Jackson, Sir Henry Halford, a distinguished smallbore shot, and a late much lamented Member of the House of Commons, Mr. Guy Dawnay, a dear friend of my own and many other hon. Members. I do not want to criticise the individual members of the Committee. I do not think it was as good a Committee as might have been got together; but, admitting that the Committee was a satisfactory one for the purpose of deciding between the merits of different guns submitted for approval; I say it was a Committee utterly unfit to invent a gun on its own account; and that was what it turned its attention to. Between 1883 and 1885, though no public advertisement was given asking for rifles to be submitted, and no public trials instituted, no fewer than 31 different kinds of rifles were submitted, and by November, 1885, it was found that only two rifles had survived the trials. These were the Lee rifle and the Owen-Jones rifle. Between November, 1885, and September, 1886, the Committee appear to have held no meetings—a fact which is not easily explicable — but in September, 1886, the Lee rifle was finally adopted. The breech mechanism of the present rifle, however, has been evolved since the date of the adoption of the Lee rifle; and, indeed, little of the Lee principle is now left beside the fact that there is a detachable magazine placed in front of the trigger-guard, necessitating the use of a bolt system of breech action. Between September, 1886, and the period of the issue of 350 rifles for report, the Committee was at work building up a rifle. The members of the Committee were not mechanics, but they had the run of the Enfield yards, and the assistance of the Assistant-Superintendent, Mr. Speed. Mr. Speed took out various patents connected with the processes of manufacture of various parts of the rifle. I asked for a Return as to the amount of royalty paid in respect of these patents. I was told that no royalty had yet been paid, and that no decision had yet been come to as to what reward should be given. This may be the case with regard to the Government factory, but it is difficult to understand how the various private factories engaged in the production of the rifle can have avoided paying something for the patents. The House has a right to know what has been the cost of the experiments, and how much money the Small Arms Committee has expended in arriving at those particular points on which Mr. Speed has taken out patents. The result is, at any rate, that an exceedingly expensive rifle is being manufactured. The War Office put the cost of the weapon during the past year at £5 5s. a rifle, and the Financial Secretary told us the other day that the estimate taken out for next year was £4 a rifle, congratulating the House on the cheapness of the weapon. But the estimate for next year is a very different thing from the cost which may be actually incurred for these rifles. The French Lebel rifle costs 40f.; the Mauser rifle is now offered for sale for 80f.; the Mannlicher rifle is sold for 75f.; while for the British magazine rifle I have myself paid eight guineas in the open market. The Return just given to the House shows the necessity of the great cost of this rifle. The old Martini-Henry cost about two guineas, and had 61 component parts, as against 98 in the magazine rifle. In the manufacture of the Martini-Henry rifle there were 991 processes; in that of the magazine rifle there are 1,611. The number of workmen required to produce 1,000 rifles in 54 hours is for the Martini-Henry 751, and for the magazine rifle 1,310; therefore, the number of hours worked in the production of 1,000 Martini-Henry rifles is 40,554, and of 1,000 magazine rifles 70,740. I quite agree with the Secretary for War that it is quite impossible for the House to properly discuss the details of the new rifle; but when it is found that the rifle has been passed by a Committee who themselves invented it, when it is found that the cost of that weapon is double that of the old English one, and greatly exceeds that of all those recently adopted by foreign countries, and when it is found there is a vast body of military, naval, and non-professional opinion hostile to, or severely critical of, the mechanical principles on which it depends, surely it is time for the House to insist that a body of expert mechanics should examine it, to see whether it is constructed on sound mechanical principles. All I ask the House to do is to take proper precautions with regard to this rifle. After the Report of the Commission presided over by the noble Lord the Member for Rossendale, it is impossible for the House to accept with blind confidence everything that is done by the War Office. Any right hon. Gentleman who possesses racehorses knows that a horse may be exceedingly good looking and exceedingly fast, and yet have some weak point. Such a horse may pass through all its preparations and trials satisfactorily, and yet break down when the supreme moment comes, owing, to a great extent, to the very trials which it has previously undergone. If the Secretary for War were buying a horse, he would not take the views of the breeder and the owner of the horse as final. He would probably call in an expert to find whether the horse was really sound. On the same principle, I now ask the House of Commons to refer the new rifle to a small body of mechanical experts outside the influence of the War Office, so as to enable the House to form an accurate judgment on this very difficult matter. I beg to move the Resolution standing in my name.

Motion made, and Question proposed,

"That an humble Address be presented to Her Majesty, praying Her Majesty to appoint a Royal Commission to inquire into the merits of the magazine rifle, and all the circumstances attending its adoption."—(*Mr Marjoribanks.*)

(5.16.) MR. HANBURY (Preston): Whatever opinion we may have as to the reference suggested by the right hon. Gentleman opposite, I think we must all congratulate him on the utter absence of all Party spirit from the tone of his speech. Surely, if there is one subject more than another on which upon both sides of the House there ought to be no Party animus, nor any charge of Party disloyalty, it is one like this, which is purely a matter of administration connected with the defence of the country. I do not pretend to follow the right hon. Gentleman into all the details, technical and mechanical, into which he has gone in regard to the new magazine rifle. On them I am not capable of forming an opinion, and I do not suppose there are many of us here who are capable of forming an opinion; but at the same time there are facts in connection with the introduction of this new rifle on which we are capable of forming an opinion. It is admitted that the Committee of experts—some persons say experts, and some say amateurs—but at any rate the Committee who had the selection of the new rifle, instead of being the judges of a number of rifles submitted to them, and having the opportunity of picking out the best and most effective weapon, constituted themselves rifle inventors, and became interested in pushing this particular rifle from first to last. At any rate, it is beyond doubt that at the Enfield Factory itself there were official patentees of this rifle, and when I state that one of the factory officials, Mr. Speed, out of 13 patents connected with this rifle, holds no less than 10 in his own name, I think the House will agree with me in saying that once for all we ought to put an end to this system of official patentees, because it is utterly unfair to the inventors who come before the heads of the Government establishments, where they get their brains picked by the officials, and have their ideas appropriated. Whether they get royalties I do not know, but I think that is a point on which we ought to have a distinct statement from the right hon. Gentleman the Secretary for War. I will go one step further, and say that if there is one body in England which ought to be able to express an expert and qualified opinion on the new rifle it is those who are at the head of the School of Musketry at Hythe. Well, what happened? The School of Musketry at Hythe passed a severe condemnation on this rifle. Colonel Tongue, who was the head of the School at Hythe, was one of those who were put upon the Committee of Choice, and a more inappropriate man you could not possibly have had on such a Committee; because, as the head of the School of Musketry, he was one of those to whom appeal would be made as to the merits of the rifle in the last resort, and therefore he ought to have had no direct interest in pushing forward that particular weapon. The heads of the School at Hythe ought to be a body capable of giving a free and unbiassed opinion on such a subject. But what has been the case? Colonel Slade, who was one of the most energetic members of the Committee, is now the head of the School of Musketry at Hythe. That, I think, is not the way in which the Government ought to have proceeded. So far, I am in agreement with the right hon. Gentleman opposite; but when he comes to the remedy, I am obliged to differ from him. What I say is this,—either the War Office is right at the present moment or it is not. If it be right, the proposed remedy of the right hon. Gentleman would prove dilatory and mischievous, and would postpone the introduction of the new rifle for a considerable time, and we have already been nearly ten years considering what new rifle we should have. Moreover, if the War Office is right, the less we interfere with the Government establishments the better, and therefore the Royal Commission which is proposed would be an unnecessary evil. But, on the other hand, if the War Office is wrong, then I say the remedy would prove wholly inadequate. If, with all its money, all the talent it has at its command, and all the time it has at its disposal—it being now nearly eight years since the Committee began to sit on this subject—if, under these circumstances, the War Office cannot perform one of its most ordinary duties in regard to the supply of arms for the service of the country, I think we shall require something of a much more stringent and drastic character than a mere inquiry into the way in which it has dealt with the introduction of this particular arm. If it be the case that the War Office has been so thoroughly inefficient, as has been pointed out, then I say it wants overhauling from top to bottom, and not a mere inquiry such as is now suggested. The right hon. Gentleman says that this is exactly what Lord Hartington's Commission recommended; but are we right in trusting to Royal Commissions? We have already had so many of them sitting at the War Office that the War Office ought to be at the present moment one of the most perfect bodies under Heaven. On the question of the introduction of new arms and new materials of war into the Service, you had only two or three years ago a Royal Commission, which was presided over by Mr. Justice Stephen, and on which my hon. and gallant Friend the Member for the Horsham Division of Sussex (Sir W. Barttelot) sat. That Committee went fully into the question as to how the War Office should undertake the supply of arms to the Service; and what was the result? The way in which this Committee of experts, or amateurs, has recommended this rifle has been at the bottom of the whole mischief, and what has been done in regard to it has been done in the face of the recommendations contained in the Report of the Committee over which Mr. Justice Stephen presided. What did Mr. Justice Stephen say on the subject? He said—

> "These Committees have no continuity; they involve no official responsibility; they are often unfitted to the work; they sit only when it suits their convenience; they are liable to be dissolved at any moment, or to be re-constituted or superseded at a moment's notice; and their proceedings are often dilatory, confused, and unsatisfactory to the last degree."

And this is the very Committee on the recommendation of which we have been asked to adopt this new rifle. It is quite clear that Royal Commissions will not do the work for us, because the War

Office does not carry out their recommendations. What we want is something more potent—something that will speak with a stronger voice than a Royal Commission. The only body that can speak with that strong and potent voice is the public; and, although the War Office does not mind these Reports of Committees and Commissions, it may be influenced by the voice of public opinion. No doubt the Government does not object to the appointment of a Commission to deal with matters of this kind, because they know that when the people see that a Royal Commission has been appointed they say, "Ah, now it will be all right. A Royal Commission has been appointed, and it will inquire into the whole facts, and take care of our interests." In this way public opinion is deadened, the subject is dropped, and nothing more is heard of the matter, at any rate, unless some catastrophe or accident should happen, or some great mischief result. When this is the case the War Office is then able to turn round upon its Royal Commission, and say—"That Commission was appointed to take all the responsibility off our hands, and therefore you must not blame us in the matter." That, Sir, is one reason why I do not want a Royal Commission. What I say is, that the proper thing for us to do is to lay the full burden of responsibility on the War Office, to see that that Department does its work, and to punish those who do not perform their duties in a proper manner. But it is said if you have a Royal Commission you will get a great deal of information out of it. I think there is already a great deal of information on this subject, even down to the most minute technical details. The right hon. Gentleman the Secretary for War has been in receipt of the most valuable Reports, and he has also before him the extremely valuable letters which have appeared in the *Times*—letters which, I believe, will be found to be of considerable service. [Mr. E. STANHOPE shook his head.] Well, we shall see how that is by-and by. At any rate, we can, after all, ensure the whole of the information we require without any Royal Commission at all, and it ought to be laid before this House as soon as possible. It lies with the War Office to furnish the information. Let us also see what has been done in regard to this matter elsewhere. We should like to know what the Indian Government has to say on the question of this rifle. We ought to have the opinion of that Government as an independent authority, because I think it would be a valuable thing for us to know what it has to say on the subject. I find that the Victorian Government, as is stated in the *Melbourne Argus*, gave an order for 5,000 of these rifles, and that all of a sudden that order was countermanded. We should like to see the correspondence between the War Office and these two Governments on this subject. But if we are in want of information, surely we can get it by word of mouth from the right hon. Gentleman the Secretary of State in this House quite as well as by means of a Royal Commission. If the information is to be got in an official way we shall not get it any the better from a Royal Commission than from the right hon. Gentleman the Secretary for War. I know that it is frequently said, on behalf of the Government, that papers which are asked for are confidential. But we want to get hold of the papers in this case, and to know what the Colonial Authorities and the Indian Government have to say in regard to these things. We shall, however, never get full information on these subjects until the House and the country are treated with a little less reserve on the part of the Government Authorities. These are matters on which the public has the right to full information, and we have pretty good evidence, as given before Mr. Justice Stephen's Commission, that the public does not get full information. The late Adjutant General Lord Wolseley stated that

> "One of the most serious complaints that can be brought against the system of the administration of the Army, and the system of Government as it bears on the Army, is that we do not tell the truth to the English people."

If we could only get more explicit answers to some of the questions that are put in this House, the country would be better informed as to how the service is to be supplied with proper and efficient arms. It is the system of secrecy that is adopted in regard to these matters which is doing the Government more harm than almost anything else; it is from this that its difficulties mainly arise. If the War Office would only take the country into its confidence, we should hear a good deal more about this rifle than we know at present; and, for my part, I think that after all a good deal may be said on the side of the new weapon. We have not heard what are the tests that have been applied to it by the Colonial and the Indian Governments, nor have we been informed as to what they have to say on the subject. I do, however, happen to know that this rifle was submitted to a very severe test by the Roumanian Government, who had it tried in competition with a certain number of other rifles of a similar character, and that the result was that the magazine rifle, which has been adopted by Her Majesty's Government, came out first. That being so, it is, as far as it goes, a justification for the selection of this rifle; and, at the same time, it is obvious that rival inventors would be only too keen in endeavouring to get the Government to put aside the rifle they have adopted in favour of their own particular weapons. There can be little doubt that a good deal of the opposition to the new rifle does come from these rival inventors. As a matter of fact, much the same opposition was raised against the Martini-Henry rifle, and it was fully two years or more after the first issue of that rifle that it was perfected. If the Government would only take the public into its confidence, it may be that there is much to be said for this rifle. I think it is the duty of the Government to do so. It is important, in the interests of the nation, that the soldier should not get into his head that he is armed with an inefficient weapon. Once get that into his head, and he will never like his weapon. This is what strikes me: either the War Office in this case is the most reckless and headstrong Department that ever existed, or it has got thorough confidence in its rifle, because it is going on with the manufacture of it, as the right hon. Gentleman said, "With a rapidity unexampled in the history of this country." In the face of Hythe, of the FitzJames Stephen Commission, and of the Indian and Colonial evidence, they are proceeding with the manufacture of this rifle at a rate unexampled in the history of this country. It is perfectly incredible that the War Office, if it has any suspicion of its own rifle, should go on with its manufacture at the pace it does. For these reasons I object to the Royal Commission suggested by the right hon. Gentleman opposite. We must have one of two things: If the War Office refuses inquiry into this rifle, and takes the entire responsibility on its own shoulders, then we ought to know exactly who it is we are trusting. What is the real and main object of my Amendment? If we are not going to have an inquiry by an outside body, then we must press home the responsibility of the War Office to the utmost extent.

*Mr. E. STANHOPE: Hear, hear!

Mr. HANBURY: My right hon. Friend says "Hear, hear!" to that. My right hon. Friend objects to anonymous criticism of this War Office rifle. I, on my part, object to the anonymous responsibility for this rifle. It is not the right hon. Gentleman who is responsible. That would be wanting in reason. It is utterly impossible that responsibility of this sort should be thrown purely on the Secretary of State for War. We all know what would happen. If the worst come to the worst, we should have a five-line Whip sent out on Government authority, and his sole responsibility would vanish. It is impossible that any one man, civilian or military, can be responsible for all the details of the War Office. And the right hon. Gentleman has very wisely and betimes guarded himself against any possibility of being made responsible for this rifle. I saw the other day what I thought was a very sensible letter on the subject, in which the writer says that whether the rifle is or is not a suitable weapon for the British Army, it is not a matter upon which any weight would, or ought to, attach to the Secretary of State's opinion. If that is the case, then we cannot hold him responsible. Again, Mr. Justice Stephen's opinion is worth nothing, and he was the head of the Commission which considered the subject; nor is the Small Arms Committee responsible. The extract from the Report says—"We cannot be held responsible in any sense." Then I want to know who is responsible? The right hon. Gentleman referred us to Sir Redvers Buller, but that officer says—"I know nothing about rifles; I do not profess to be any authority."

That would appear to suggest that you cannot hold him responsible. Going a step further, the right hon. Gentleman referred us to the large body—he does not tell us who they were—which passed judgment upon this rifle. He says that the reports of the trials being satisfactory a meeting was held at which were present the Duke of Cambridge, Mr. Stanhope, General Wolseley, Sir Redvers Buller, Major General Alderson, Sir Frederick Abel, Mr. Anderson, Mr. J. Rigby, and others. Well, that is a very lax responsibility —" and others." I want to know every one who was there. Sir Redvers Buller has generally disclaimed responsibility.

THE FINANCIAL SECRETARY TO THE WAR OFFICE (Mr. BRODRICK, Surrey, Guildford): He is incorrectly reported. The only statement made is that contained in an anonymous letter in the *Times* this morning.

MR. HANBURY: I beg pardon; I read the speech of Sir Redvers Buller, I think both in the *Times* and in the *Broad Arrow*. I have seen no contradiction of it. I understand he is to be held responsible. Then is everybody in this large body to be held responsible? That is really the gist of the whole question. I should say that the man who is to be held responsible is the Director of Artillery—General Alderson. He is an expert, at the head of this particular Department. My sole object in introducing the Amendment is to get a statement from the Secretary of State as to who, if anything goes wrong, is going to be dismissed from his position, who deprived of his pension, who punished for providing the British Army with a thoroughly bad weapon. We cannot have responsibility of a general character put upon the War Office; there have been too many breaks-down in that Department lately. The country has a right to demand from the right hon. Gentleman information as to who is responsible. If, as I firmly believe, to a certain extent this rifle is a good one, we want to know who will have the credit of it; and if it is a bad one, then who is the man who should be punished for handing a bad weapon to the British troops? I have introduced my Amendment with the object of ascertaining exactly where the responsibility lies. I beg to move the Amendment of which I have given notice.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "It is undesirable, by the appointment of a Royal Commission inquiring into a detail of military administration, to weaken the full responsibility of the officials, specially charged with that duty, for the recommendation and adoption of the new magazine rifle,"—(*Mr. Hanbury,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

MAJOR RASCH (Essex, S.E.): I beg to second the Amendment.

*(5.26.) COLONEL NOLAN (Galway, N.): Sir, when the hon. Member for Preston speaks on military administration I very often support his views, and I agree with much, not all, that he has said on this occasion. This question is a very peculiar one, and it is one, beside the importance of which the question of responsibility of particular officers or bodies sinks into insignificance. The national existence depends upon whether the rifle with which our troops are armed is good or bad. The right hon. Gentleman the Member for Berwick has enlightened the House by a most interesting speech, and he has given us most valuable information. On this question the right hon. Gentleman is a specialist. His performances with the rifle rival Locksley's, in *Ivanhoe* with the long bow. I myself have seen the right hon. Gentleman make 19 bull's-eyes out of 20. [*Cheers.*] The House has a right to cheer, for the occasion to which I refer was when the right hon. Gentleman was the champion of this House against the Representatives of another place. The right hon. Gentleman pulled various pieces of the rifle out of different pockets in the course of his instructive and interesting observations; and at one time I thought he had put on a poacher's coat, and that he was going to pull out the stock and barrel, which he could well have done, as the magazine rifle has a divided stock. The right hon. Gentleman divided his subject into four heads, and I will deal with them, though not from the mechanical point of view. I have gone through a special course at Enfield

with respect to the rifle, so that I know something of the subject. I think the right hon. Gentleman made a mistake in going into too many details. But he has raised an important question, namely, the reduction of the bore. In Europe, up to five or six years ago, every country except, perhaps, Switzerland had a bore of 44 hundredths. That was the average over Europe. Some five years ago the French made a regular revolution in small arms by reducing the bore from 44 hundredths to 30 hundredths. They have the whole honour and glory of that movement, though the Swiss had shown the way to a certain extent. The reduction from 44 hundredths to 30 hundredths appears at first sight considerable. But that is quite insignificant. You must go by the cube of this ratio of 3 to 2, and I say that the change if measured by the cube increases the effectiveness of the rifle enormously. The reduction of the bore to which the right hon. Gentleman objects has enabled the authorities to reap tremendous advantages. In the first place, the trajectory is flattened. If a bullet from a Martini just grazed the head of a man at 1,000 yards' range it would fall 28 yards beyond him, while a bullet from the new rifle would fall 52 yards beyond him. When you come to using the rifle in action it may be taken that the difference in the execution done by the two rifles will be in proportion to those figures, or about five to three. Then the recoil is reduced. The right hon. Gentleman the Member for Berwickshire is an accomplished marksman and does not shirk the kick, but the ordinary soldier looks upon the Martini very much as he looks on a kicking horse—he is afraid of it, and under such circumstances you cannot expect him to aim correctly. But the right hon. Gentleman has said that the kick of the new rifle compared with the Martini is as 7 to 45, which means that the kick of the new rifle will have practically no effect on the shoulder. That will make it possible to train a soldier much more quickly, besides enabling him to fire a great number of rounds without the bruising of the shoulder which results from firing 45 to 50 rounds with the Martini. The right hon. Gentleman said the bore should not be reduced beyond the point at which a leaden bullet could be used. That view was discussed in the *Times* this morning, but the writers did not condescend to give figures. The right hon. Gentleman gives ·320 as a bore which would stand a leaden bullet. That is very little larger than the present bore, which is ·303, and I doubt whether the right hon. Gentleman can prove that his figure is correct. I know that experiments have been made at Enfield, from which it would appear that ·400 is the smallest bore suited to a leaden bullet. I do not believe any force armed with ·450 bore rifles could stand against troops armed with rifles of ·303 bore, the advantages of which are so enormous. They would be out-shot at the long ranges, and also would not be able to carry so many cartridges. Every one wanted to reduce the bore. It was known that if that were done there must be a longer bullet, and, to prevent it turning, greater speed would have to be imparted to it, and then there was the danger that the rifle would get foul through powder lodging in the grooves. Therefore, it was decided to have a nickel or copper or iron and zinc covering instead of a pure leaden bullet. It was objected to by some military men that such a bullet would stick in the rifle, but there is really no practical difficulty with the bullet sheath, which only sticks when the rifle-barrel is perfectly clean. If an oiled rag is passed down the barrel, or if the soldier breathes down it, the sheath will not stick, even on the first shot afterwards the sheath never sticks. There need be no difficulty except that arising from utter and supreme carelessness. I do not think the "striking power" is of much consequence. That argument was used against the Minié rifle, as compared with the Brown Bess. I think men of ordinary courage will be stopped by one of the small bullets, but if not, then the magazine will enable the soldier to put in two or three bullets. Even if the small bullet will not stop a horse, as a general rule the rider will stop it if there is a shower of bullets. The second great difference between the old rifle and the new is the change from the falling block to the bolt system of breech action. The bolt system is, I think, much the simpler. There is nothing rash in that change, for the bolt action has been thoroughly tried all over Europe for 25 years. I believe the United States are the only people who follow us, and they have, I believe, not a falling but a rising block breech action. A falling block is probably incompatible with a magazine, for if the falling block is used the cartridges must be pushed in with the finger, while the bolt action pushes them in itself in the act of closing the breech. I repeat that in making this change we have done nothing rash; indeed we have taken a wise and prudent step, as the bolt system has been tried in any number of campaigns with every success. I do not think the right hon. Gentleman has done the Government justice in not giving them credit for this change. As to the details of the breech action, I think them of secondary importance. I generally find when anything goes wrong with the breech mechanism of a fowling-piece that it is because the gunmaker has been trying to sail round somebody's patent. That can hardly be the case here, for the Government have annexed everybody's patents. The points of detail with which the right hon. Gentleman has found fault are chiefly questions of manufacture. The extractor is a well-known one, and there has only been one doubtful case of failure. At Woolwich only one bolt-head has been injured in the rifles used for proving ammunition, and that is a very small proportion after 20,000 rounds from that particular rifle. The right hon. Gentleman said that the extractor is weak, and that it is short; but in such mechanism the shorter a thing is the better, because it is less likely to bend, and this extractor always goes on pulling out the cartridges. The right hon. Gentleman also objected to the strikers and to the main spring. As a matter of fact, Hythe lately tried 100 new main springs; only one broke, and the rifle fired well with the broken one; but I think that we may now rely on the main springs, which are similar to those which have been tried on the Continent in great wars, while that in the new rifle has less pressure on it than was the case in the Continental rifles. I do not see how the extractor spring can break. Several have been tried during the last few weeks. Out of five in the hands of troops one broke; but, on the other hand, out of five which snapped 2,000 rounds none broke, and similar success attended five which snapped 40,000 rounds. With regard to sand, the rifle has been tried in Egypt, and after being buried 24 hours in the sand all has gone well. I therefore think that it may be assumed that the rifle will stand sand. I believe that now soldiers are in favour of the rifle. Of course, there have been some small faults, such, for instance, as in the screw which has joined the bolt-head to the bolt, but there is no fault now in that respect. We cannot expect to change from a large to a small bore and from a falling block system to a bolt system without some mistakes being made, especially when the rifle is being manufactured at a great rate. I will now pass from the details of the bolt to what has been called an essential feature of the rifle, namely, the magazine. The right hon. Gentleman did not object to a magazine very much, I suppose, because he considers that a magazine is, on the whole, a useful addition to a rifle. Nearly every country has a magazine rifle except Russia, which has a rifle which takes six or seven cartridges on the top of the barrel in a quick loader. But the right hon. Gentleman objects to this magazine on the ground that it ought to be fixed, and he also finds fault with the magazine spring. I am informed on the best authority that out of 100 which have been in daily use by soldiers for six weeks not one has failed or showed any sign of rust. I think that is a very fair test. Again, these magazines are not of very great importance; they can be rapidly changed. In the United States Navy they keep us in countenance in this matter, for they use a detachable magazine on the Lee system. It is easier to take out the magazine and put in another than to fill a fixed magazine with cartridges, and the magazine now in use cannot really drop out. In action fresh magazines can be brought up and supplied to the troops, and therefore I consider that a detachable magazine is a very valuable feature, and far surpasses any fixed one. I do not think that there is any fear of the cartridges not coming out of the magazine separately; of course, if a man tries to put a cartridge into the barrel without cutting off the magazine there will be two cartridges at once, but even then nothing will happen to put the rifle out of order. Of course, a great deal must necessarily be speculation. Hon. Members would like to know how these weapons would answer in warfare, but we cannot get up a first-class war in order to try a rifle. I believe that in 1885, in the war between the French and the Chinese, the Lee rifle proved an excellent weapon. Some 36,000 of these weapons were sent out, together with 36,000,000 rounds of cartridges, to the Chinese, and the defeat of the French at Loo Shoon is generally attributed to the Lee rifle, although the French had the Kroapetsky fixed magazine rifle. We only differ from all the other nations with regard to the magazine rifle in one important point, and that is in reference to the detachable magazine. On every other broad point we agree with every other country in the world. As to the smaller points referred to by the right hon. Gentleman, I have no doubt they may be very usefully considered, and I think the Secretary for War ought to have them carefully inquired into. But they are only points of detail, and I believe that up to the present the rifle has been very successful.

*(6.2.) MR. E. STANHOPE: I shall have to ask for the indulgence of the House for the large number of details which it will be necessary for me to refer to in the course of my remarks, but I ask for it upon no other grounds. I have been attacked outside the House very bitterly; but, for my part, I should be very sorry to answer my critics in the same spirit in which they have attacked me. The object of every one in the House is, I am quite sure, to arrive at the truth, and, therefore, I appeal with the utmost confidence to this much fairer tribunal to deal with the matter in a spirit of absolute fairness. My hon. Friend the Member for Preston (Mr. Hanbury) has asked us to show less reserve. I am not conscious myself of having shown any reserve. All the Reports which have been asked for have been laid on the Table of the House, and they could have been printed if it had been desired. Certainly, so far as I am concerned, I have no desire to keep back anything. I desire in every respect to take the House into our confidence, because I believe that the more we take the House into our confidence the more certainly shall we be supported in the steps we have taken. I think the House will be of opinion that, while I must go into many details, without unnecessarily wearying it with them, it is my duty, first of all, to dwell upon some points of principle that have been raised. The right hon. Gentleman opposite, about the tone or substance of whose speech I make no complaint at all, has asked for an inquiry by a Royal Commission. Well, I confess I should be exceedingly glad to take it upon myself to give an inquiry, if I saw my way to do so, that would relieve the War Office of some responsibility. We have got, we believe, a good rifle, and in our opinion the more inquiry we have the better that rifle will come out. My hon. Friend the Member for Preston has moved an Amendment to the effect that the House ought not to take away any of the responsibility from the War Office, which has chosen and issued the new rifle, by the appointment of any Commission of Inquiry or by any outside inquiry at all. I entirely agree with the proposition of my hon. Friend. The position is this—we have chosen and issued a new rifle. We fully accept the responsibility for what we have done, and I think it would be very unwise, and hardly in accordance with the practice of the House of Commons, were they to appoint a Commission of Inquiry to take away responsibility from those to whom it rightly belongs, and confer it upon some body constituted we do not know how. Therefore, if we come to a Division—and I hope we may not be required to do so—I shall certainly be prepared to vote for the Amendment of my hon. Friend. Now, Sir, let me ask this question: What is the nature of the responsibility for this rifle? Who, in short, is to choose a new rifle which is to be put into the hands of the troops? On this question I believe I shall receive the universal assent of the House to the proposition I lay down. In the first place, it is not the Secretary of State upon whom devolves primarily the responsibility for the choice of a new rifle. A good deal has been argued out of doors on this question. But if I had overridden the opinion of all the authorities, and had given the troops on my own responsibility a rifle of my own choosing, I should like to know what would not have been said, and justly said, against

me. The House will remember perfectly well how Sir FitzJames Stephen's Commission censured the right hon. Gentleman the Member for Edinburgh for doing what he says, and I believe rightly says, he did not do — namely, for making some alteration in the detail of a rifle in contradiction to the view of the Military Authorities. We all remember perfectly well that a few years ago one of the greatest complaints made by soldiers at that time was that they had too little control over the weapons put into the hands of the Army. I certainly thought a good deal of that complaint was well founded. Now no such complaint can be made. Now the primary responsibility for the weapons of the Army rests with the Army. Then my hon. Friend very naturally says that he wants responsibility a little more particularised than that. Well, Sir, the primary responsibility for recommending a new weapon rests with the Director of Artillery. He is the man who has to recommend the new weapon to his official chief. That weapon having been proposed, it comes naturally after a time before the Secretary of State for approval. If he approves that rifle and issues it to the Army, he must then assume responsibility to the House of Commons for the weapon and for its manufacture. I accept that responsibility. I do not shrink from it in the least degree. That responsibility properly rests on me, and I hope the House of Commons will not deprive me of that responsibility, because I am confident—at any rate, so far as I am concerned, I have undertaken it in a serious spirit — that I have done my utmost to acquaint myself with every detail connected with this rifle, and I am prepared, not only in consequence of recommendations made to me by my military advisers, but also in consequence of the very careful examination I have given to the subject, entirely to endorse their opinion, and to accept that responsibility.

MR. HANBURY: Leaving the Director of Artillery responsible to the Secretary of State?

*MR. E. STANHOPE: Certainly. Now, Sir, let me state first of all the argument I propose to address to the House. I hope to be able to argue that this rifle has been chosen with the greatest care, and after full deliberation, that it is undoubtedly the best rifle that could have been chosen at the time it was chosen, and that at the present time it is a thoroughly good rifle for its purpose, if not absolutely the best rifle that could at this moment be chosen. How was this rifle chosen? A Committee was appointed in 1883. That Committee sat during two or three years, and was re-appointed, with one or two changes, in 1886, and examined every rifle that was submitted to them by any inventor who was willing to produce a rifle and submit it to the Committee. I do not think there was any rifle mentioned up to the last year or two that was not fully considered by the Committee, and on which they did not express a complete and absolute opinion. I was not the Secretary of State who appointed that Committee, even in its original or in its later form. What I did was this: I found the Committee ready constituted, and I thought it possible they might require the assistance of a manufacturer of rifles—an expert in that sense, who would advise them on questions of detail; and, therefore, about a year before this particular rifle was adopted for use in the Service, I appointed Mr. Rigby, a Dublin gunmaker and a man of great experience—the best man upon whom I could lay my hand—to assist the Committee in their choice of a rifle. As I am not responsible for that Committee, I think the House will allow me to say what I think about it. I believe, Sir, there could not have been, on the whole, a better Committee chosen. The points which had to come under the survey of the Committee were various, and, in my opinion, it would have been impossible to constitute a Committee for that purpose that would have satisfied everybody. There were upon this Committee three distinguished officers who had given special attention to this subject—General Philip Smith, Colonel Slade, now the head of the Musketry School at Hythe, and Colonel Tongue, at that time the head of the School at Hythe—and my dear and lamented friend Guy Dawnay, who thoroughly understood what was required in a sporting rifle, and had given great attention to military rifles. He gave up all his time and some of his holidays for the work that was being carried on by the

Committee. Then there was Captain Meryon of the Royal Navy, who brought before the Committee the requirements of that branch of the Service, and whose valuable services every member of the Committee would, I am sure, readily acknowledge. That being so, the Committee, having examined every rifle that came before it, presented its Report in 1888. The result of that Report was that 350 rifles were manufactured and issued for trial in various directions. Some were sent to India, some to Egypt, some to Canada. Extensive trials were made, and it was some time before the Reports came in. I should like the House to consider what our position then was. We were being pressed on every hand. Everyone will remember what took place at that time, and how we were being pressed on all hands. Pressure was put on me in the House of Commons, and I was asked to explain why the War Office were not ready to produce a magazine rifle. The Press were unanimous in saying that if foreign countries had a magazine rifle, they wanted to know why we should not have one, too. Among these journals was one to which I should like to refer specially, as it has taken a very prominent part recently on this subject—I mean the *Times* newspaper. Everyone will remember the character of the criticism which the *Times* has lately been passing on what we have done. They have said that the rifle has been hastily chosen, that no magazine rifle is needed at all, that the rifle chosen is a bad rifle, and they also say, without any disguise, that they desire to advocate another rifle designed by Major Godsal. Let me quote a passage from an article in the *Times*, of September 4th, 1888, the whole of which is well worth reading—

> "How necessary it is that no undue or avoidable delay should occur in the issue of repeating rifles to the British Army is proved by the almost universal adoption by Continental Powers of such a weapon."

And then, after referring to the difficulty about ammunition, it goes on—

> "In other respects the Committee have reason to congratulate themselves and the Army, for they have devised a weapon which, take it all round, is probably superior to any other rifle yet adopted. . . It may be hoped that the authorities will lay to heart the following sentence from Colonel Slade's Report:—'Perfection and finality are unattainable in military weapons, and, as the question has been so thoroughly threshed out and considered from every point of view, any further delay in issuing the new arm is very much to be deprecated.'"

With that extract I leave the criticism of the *Times.* I come back to the position of the Small Arms Committee. Can it be said by anyone that the trials of the new rifle were inadequate? The trials were carried out in every climate and under every contingency, as the following statement fully showed:—

> "The trials were of the most exhaustive nature, both by the Committee and by the troops. Thousands of rounds were fired rapidly to test the action and the barrel, until in some cases the sights were melted off. The rifles were left loaded on the grass in the winter for 14 days and nights and then fired successfully; they were dropped heavily scores of times on the stones, dropped from a height, sunk in the water, exposed to a sand-blast, and passed successfully through the severe test of firing cartridges purposely made defective—a test which proved fatal to nearly every rifle that was submitted for trial to the Committee; in fact, the Committee utterly failed in their efforts to break down the rifle."

The Reports received of the trials in various parts of the world were so favourable as regards the suitability of the new arm as a military weapon that all doubts, if any existed, were removed. Accordingly, the famous meeting of November 1, 1888, was held in my room at the War Office. We had before us all the Reports upon this rifle, and every member of the Committee and every person concerned unanimously expressed the opinion that the manufacture of the new rifle may be safely proceeded with. And the manufacture has accordingly been proceeded with. Various changes were no doubt made—changes which increased the strength, the stability, and the simplicity of the new rifle—and it was issued last year for trial by the Army at large. Exception is taken to my having placed this rifle, which is a more complicated weapon than the Martini-Henry, in the hands of recruits. But I did so purposely, because to do so would, I thought, afford the best test—because if it passed such a test it would be all the more satisfactory, and because in the hands of recruits faults might perhaps be discovered which, when so discovered, might be remedied. The weapon was tried by an enormous number of persons in all parts of the country, especially at Aldershot, and the result of all the Reports has been that not one of my advisers has been shaken in his opinion of this weapon. No doubt the trials showed certain defects on some particular points which could be remedied, but they confirmed the opinion that the weapon was a good one, which could be made thoroughly satisfactory. I received only this morning a letter from a gentleman whose name I cannot give, as I have not had time to communicate with him and obtain his permission, but who, I may say, is one of the best shots in England connected with the Volunteer Service. He puts the case very well. He says—

> "The difficulty of the position is this—that neither ordinary M.P.'s, nor newspaper writers, nor the public can be in any sense judges. The questions are of two kinds—mechanical and military. There are few men in the country who combine knowledge of these two sides of the subject sufficiently to be fair critics. The ammunition troubles have been unfortunate. When they are solved I have every confidence that we shall possess a rifle second to none in the world as a military arm."

I may also refer to the opinion of the Director General of Ordnance Factories, who is not himself interested in this rifle, it having been approved by his predecessor. Mr. Anderson tells us he is satisfied it is "a thoroughly good arm, and one that will give complete satisfaction to the Army." Then we are told it must be a very bad rifle because we have introduced what is called "Mark II;" that is to say, because we think that there are sufficient good improvements suggested to justify us in issuing a new mark rifle. I think we should be foolish if we did not avail ourselves of experience gained in many parts of the world—foolish if we did not take advantage of most valuable suggestions in respect to the magazine rifle. This is the reason why we are trying "Mark II." It holds more cartridges, and is more easily loaded. On the whole, we think that when we have thoroughly tested it this will be the best rifle we can supply to our troops. But we have not therefore withdrawn our confidence from "Mark I." That will be used during the coming year, and I have the strongest belief that the trials of "Mark I" will command the confidence of the country. It is said the rifle is a complicated one, but so are all magazine rifles. The German rifle, to which some reference has been made, is much more complicated than any single shooter, and so is the French rifle, but if you eliminate the parts connected with the magazine from the other parts, you will find then that the rifle has very little more complication than the Martini-Henry even at the present time. Let me come to some of the objections urged to this rifle. The right hon. Gentleman (Mr. Marjoribanks) has urged certain objections in detail, which I am sure the House has heard with great respect. He has had the advantage of using the rifle we were perfectly ready to lend him for personal experiment, but we asked him to communicate to us the results of the trials he made. Unfortunately he did not make his Report until after the criticisms in the *Times* appeared, but there are passages in his Report which I should like to read to the House. The right hon. Gentleman says—

> "I have tried the rifle, and made good practice on both occasions. I was especially struck with the even results obtained as to elevation, which was well maintained, even when the rifle was hot and dirty. My experience of 110 rounds is there was no stripping of bullets, and no single wild shot, while the mechanism worked well."

Therefore, so far as that Report is concerned, we have no reason to be dissatisfied. Now, I come to some of the objections in detail. Objection has been taken with regard to the small bore, and in regard to the bolt, and on that subject I have not a single word to add to the admirable remarks of the hon. Gentleman who spoke last. He spoke with an authority on the subject to which I cannot pretend; but I should like to add that if it be said by the right hon. Gentleman on the one side that the small bore is objectionable, and that the bolt system is not so good as the drop-block system, then, on the other side, we have uniform European experience and the universal adoption of small bore and of the bolt action. We arrived at the same conclusion afterwards, but we arrived at it by independent experiments and experience, and I do not think we can be very far wrong when we arrive at the same conclusion as European authorities, but by independent experiments. There is one point upon which, as the hon. Member has fairly stated, we differ from European nations, and that is in the mode of using the magazine rifle, and I do not think this point is too technical for me to attempt to explain. In the case of foreign nations the magazine is always in use—that is to say, the soldier is always firing from the magazine, and when he has to re-load he has to put in a clip containing five cartridges, and cannot use his rifle as a single shooter. Now, in the action of our magazine rifles, the weapon is, until the supreme moment, used as a single shooter, and would be so used on ordinary occasions, but the moment the officers commanding may decide the time has come to bring the magazine into action, then the soldier will know that he has in his rifle 11 cartridges ready for use. With the foreign magazine rifle the soldier will not be certain when the crisis arises how many cartridges he may have in his magazine, and if they suddenly come to an end he must re-load his magazine. With our rifle a soldier knows he has 11 shots to account for the enemy, and we believe, if, as undoubtedly is the case, the *morale* of the soldier is largely affected by the weapon he uses, we think we have taken the best means of giving the soldier confidence in his rifle. I now touch on some of the minor defects. I may say that, undoubtedly, a good many of the mainsprings have failed. That is a defect of manufacture, and arises from the difficulty of making a large number of springs of exactly the same quality as the one turned out for pattern. The hon. Member for Galway has already pointed out that the tests applied show that more recent mainsprings are thoroughly satisfactory. It is believed we have got over the difficulty, and when anybody says that the rifles would have been put out of action by the failure of the mainsprings, I should like to say the failures were only discovered by the minute examination to which we subjected the rifles. The rifles issued last year were not left unexamined in the hands of the troops, in order that if no defects were discovered they might be considered serviceable; they were carefully examined by the inspection department, in order that the minutest defect might be discovered. Although a considerable number of the mainsprings broke at one end or the other, as a matter of fact very few of the rifles would have been put out of action. In any case, the substitution of one spring for another is an easy matter, and I am quite sure the matter does not operate to the disadvantage of the rifle as a useful weapon. Then there is the sight for the rifle, and this presented the greatest difference of opinion. The Committee were not all desirous of having the "Lewes" sight, but it was thought by some to be an improvement. Opinion has been divided; but, on the whole, the opinion of practical men is against the Lewes, and we accept that decision, and we shall issue the new rifle with the old form of sight. As to the bolts, some screws had undoubtedly given way under the severe trials to which they had been subjected, but I need not detain the House longer than to say we believe we have completely overcome that difficulty by substituting in the rifle of new manufacture a perfectly simple substitute for the screw where this gave way, and if "Mark II." is manufactured on a large scale, the screw will be done away with. Then, as to the magazine spring giving way on some occasions, that is a still smaller matter, easy to be remedied, and we are remedying it now. There is the extractor spring, and all I can say is our experience does not agree with what the right hon. Gentleman says. The Reports from the Army are entirely in the opposite direction—that the extractor spring does its work perfectly well. The more we try this, the more we find that the extractor does its work well, and hardly ever needs repair. Then there is an objection I will allude to, though we have not heard it urged to-day. It is said the rifle is not easy to clean or repair. But that is not our experience. When I was at Aldershot I asked one of the armourer sergeants a question on this point, he having thousands of rifles passing through his hands. He reported that the rifle is no more difficult to clean or keep in repair than any other rifle which he had in his hands. He says—

> "There is no more difficulty in cleaning this rifle than in cleaning any other rifle I have ever had."

Now, Sir, I come to larger questions. Our difficulty with regard to these rifles has been the same as the difficulty experienced in foreign countries. First of all there is the jealousy of rival inventors; and, secondly, the defects in the ammunition. I do not hesitate to say that if our ammunition at first had been as good as it ought to have been, we should not have had three-fourths of the complaints that we have heard. I fully admit that the ammunition originally issued was not as good as it should have been. But I am also fairly entitled to remind the House that we have always told the House with the utmost frankness that we were not satisfied with the ammunition in its present form. There is no doubt that in our case, as in the case of foreign countries, the experimental stage as regards powder the bullets is not over altogether. But I am glad to tell the House that, so far as the compressed black powder is concerned, the ammunition we are now manufacturing is giving highly satisfactory results. We have heard of the "stripping" of bullets, but as we supply the new ammunition we do not hear this complaint repeated. We find the ammunition giving thoroughly uniform results, and are therefore under no apprehension as to the ammunition we are now able to manufacture for the rifle. But our task is not done until we are able to give ammunition charged not with compressed black powder, but also with the new smokeless powder. I am glad also to say that our experience, so far, with the new smokeless powder, which we call "cordite," has been satisfactory. Until we have received additional Reports from foreign climates, such as India and Canada and other places, we shall not be able to speak with absolute positiveness as to the keeping qualities of the powder, but it is exempt from some of the causes of deterioration which undoubtedly exist in the case of most foreign smokeless powders. Our powder, which we shall be able to produce on a large scale in April, has given special satisfaction in the new 12-pounder gun, and in weapons of a larger calibre. Its application to the rifle has been throughout much more difficult, but for the opposite reason to that generally alleged, because the new smokeless powder gives less, instead of greater, pressure than the black powder. But we are satisfied with the experiments, and have every reason to believe that before long ammunition charged with the new smokeless powder will be issued to the troops for trial. Now I come to the question of the cost of the rifle. Of course, all magazine rifles must be more costly than single shooting rifles, especially in the first stage of their manufacture. Our method of calculating the cost of rifles is, that we include a sum sufficient to pay off within a small number of years the whole of the expense of the machinery we have set up for producing the rifles. This is not usually the case abroad, nor was it when the Martini-Henry was produced. The Martini-Henry was first produced on a large scale for £3 18s. 4d. In 1888-89 it cost £2 2s. 10d. The magazine rifle when first produced on a large scale at Enfield cost £5 5s.; during the current year ending on March 31st I believe the cost will turn out to be about £4.

MR. HANBURY: Does it include any royalty?

*MR. E. STANHOPE: I will come to that point presently. The trade price for the rifle has been no doubt heavy, but it must be remembered that we include in our calculation the whole of the cost of the machinery laid down for the purpose of manufacturing the rifle, and in order to provide for that cost, and for a reasonable margin of profit to the trade, we allow about 15 per cent. in addition to the cost of the rifle at Enfield. But this is only to be allowed in case of the first 100,000 rifles, afterwards the matter is to be the subject of consideration. I have seen it stated by Sir Charles Dilke that the cost of the French Lebel rifle was only 20f., and the right hon. Gentleman to-night has told us that the cost is 40f. Neither of these statements, however, approximate to facts. I happened to-day to be able to get information from a source which I know to be reliable, that for the French rifles produced on a much larger scale than we are manufacturing, the average manufacturing price of 3,000,000 rifles is 52f., but in this estimate no account is taken of the cost of laying down machinery. If you take that into consideration you must add 13f. to the cost of the weapon. On the other hand, the price does include the cost of the bayonet, which is 8f. or 9f. If you deduct that, you arrive at a cost for the rifle of about 57f. But it is always difficult to make a fair comparison between the cost of a rifle in this country and the cost of a rifle abroad. The main cost of a rifle is due to the labour expended upon it, and everybody knows that labour in France and Germany is very much cheaper than it is here. Therefore, you will see that a magazine rifle can be made abroad at a smaller cost than in this country. Rifles similar to some of our sporting guns are sold at Liége at half the price charged for those guns in this country. Whether they are as good and reliable I will leave sportsmen to say. I have been asked about the cost of ammunition, and the right hon. Member opposite said that the cost of the ammunition for the magazine rifle will be double the cost of the ammunition for the Martini-Henry. As a matter of fact, the price per 1,000, in the case of the magazine rifles to be manufactured in the coming year, will be £6 5s., while the contract price of the Martini-Henry ammunition has been £5 15s. The comparison must be made with the solid drawn case for the Martini-Henry, not with the rolled case, which is only used for practice, not for service, and which once fired cannot be loaded a second time. For the past two years the contractor's price for the Martini-Henry ammunition has been £5 15s., so that the cost for the new ammunition is far from being double. Undoubtedly the new ammunition is a little more expensive, but I am confident that when it comes to be produced on a large scale, and we have had a little more experience, the price will be found to be but little greater, if it is not actually less, than the cost of the Martini-Henry ammunition. The right hon. Gentleman has also called attention to the fact that patents have been taken out by Mr. Speed, who is in Government employment, in respect to the inventions made by him in connection with the magazine rifle. It may therefore be well if I explain shortly to the House the law with regard to this matter, and the position of men employed in the Government service. The matter was fully considered by the House in 1883, and at that time, although the War Office urged strong objections to that course, it was decided that patents should have effect against the Crown, and a provision to that effect was inserted in the Patents Act for 1883, with the addition that the Government might use any invention on terms to be fixed by the Treasury. In the same year a series of conferences began between the Admiralty, the War Office, the Board of Trade, and the General Post Office, to consider the effect of this Act upon the Government service, and it was decided to allow Crown servants to patent because, in consequence of the Act of 1883, they would have a very strong inducement to patent, and, if not allowed, would patent indirectly, or would leave the service, and also because it was desirable to encourage inventions, but not by promotion in the service. Regulations were accordingly settled by the Law Officers of the day and made public. Under these regulations Mr. Speed and others have been allowed to take out several patents connected with the magazine rifle. Mr. Speed has not received from the Government any remuneration or royalty in respect of his inventions, some of which have no doubt been adopted, though all may not be the subject of valid patents. Any remuneration which may be paid to Mr. Speed will be assessed in accordance with the regulations, which lay down that regard is to be had

> "To any facilities in working out and perfecting the inventions or improvements which the inventor may have enjoyed by reason of his official position."

Certainly, so far as I can judge, and without admitting the validity of any patent, more than one of his inventions is of great value to the public service, and it is impossible to say that any mischief has resulted from the encouragement which has been given to him and to others to suggest improvements. But I will frankly admit to the House that my experience generally in this matter leads me to doubt whether the deliberate policy of 1883 was a wise one. There are, of course, special difficulties attending the opposite course; and, upon the whole, I incline to the opinion that the best system would be to allow the patent to be taken out, but to require it to be assigned to the Government. This was the plan adopted in the case of the new smokeless powder, when Sir F. Abel and Professor Dewar patented their invention, and immediately assigned the patent to me. I have accordingly asked the other Departments of State interested in this matter to agree to a renewal of the Conferences of 1883, with the view of considering whether any alterations should be made in the regulations in the interest of the Public Service.

*MR. MARJORIBANKS: How about the royalties?

*MR. E. STANHOPE: Mr. Speed gets no royalties from the Government, either at Enfield or at Birmingham. If hon. Members wish to ask further questions I shall be glad, with the permission of the House, to answer them; but I believe that I have now dealt, so far as can be in this House, with all the points that have been raised. Two of the previous speakers have referred in strong terms to what they call the system of Army administration, and they have urged that certain changes are requisite which were recommended by the Commission presided over by Lord Hartington. I have nothing to add to what I said to the House on that subject beyond this—that anyone who reads the Report of Lord Hartington's Commission will see that, whereas now the responsibility for choosing new weapons for the Army rests primarily with the Director of Artillery, so with the system recommended by Lord Hartington's Commission, the primary responsibility rests precisely in the same quarter. I think I have touched on the question of responsibility in a manner that can leave no doubt in the minds of hon. Members. We have not the least hope of satisfying rival inventors. We expected a good deal of outside criticism. If anyone will take the trouble to read the volume of *Hansard* which records the Debate on the Martini-Henry rifle, he will find that every single objection which is made against this weapon was made against the Martini-Henry. We were told that the Snider was the best weapon in the world, and that there was no confidence to be placed in the Committee that tested the Martini-Henry. We were told also that every portion of the rifle was patched up and made to look its best, whereas it was very bad. We were told that it was going to be an excessively costly weapon; but we have lived through those fearful predictions, and I believe that we shall live through the fearful predictions that are now made about this weapon. I have never pretended that this rifle is a perfect weapon. No magazine rifle in existence is a perfect weapon, and I do not think that any rifle is a perfect weapon. All that we can do is to make the improvements in it that experience suggests, in spite of the unfair conclusions which are being drawn every day from the fact of altering even the smallest detail of the rifle originally proposed; and we are confident, even as it is, that we are putting into the hands of the troops a weapon which has been most carefully selected, which has been most exhaustively tried, and which time will prove to be thoroughly suited to all the wants and requirements of the service.

(7.7.) MAJOR RASCH: I will not detain the House for more than a moment or two, but I should like to say why I seconded the Amendment of my hon. Friend (Mr. Hanbury). The right hon. Gentleman opposite seems to be of opinion that to the Secretary of State for War responsibility in the matter of the momentous changes which have been made should be brought home, and if not to him to somebody else. The right hon. Gentleman did not seem to think so no the 15th November, when he wrote to the *Times*, stating that no weight could be attached to the opinions of the Secretary of State, and even now I fail to understand whether the responsibility is to rest on the shoulders of General Alderson or on those of the Secretary for War. If the strictures of the right hon. Gentleman the Member for Berwickshire are correct, it is in his judgment necessary that the responsibility should be brought home to some one, because the public will ask that the blame shall be laid at somebody's door for the rifle which has been brought out. It is very difficult for me to attempt to criticise the extremely technical though interesting speech of the hon. and gallant Gentleman the Member for Galway (Colonel Nolan). The hon. and gallant Member is well known and respected in the Army as the inventor of the range finder, but as the Financial Secretary to the War Office, in an answer to a question of mine the other day, stated that 2,000 magazine rifles will be issued weekly, I should like to know whether the hon. Gentleman will give the House a little more information on one or two rather important points. It is stated, and I believe correctly, that owing to the weakness in the breech-block there is a certain tendency to jam. We had enough of that sort of thing in the Soudan in connection with the machine guns. Then the extractor is said by those who have had experience of the new arm at Aldershot to be weak and inefficient, and in order to bring it into play it is necessary to use force. I admit that the reduction in the bore and in the weight of the bullet is in favour of the new rifle. The Secretary for War states—and, of course, I am compelled to accept his statement—that the reduction in the bore does not increase the tendency to strip. I am told that it does do so, and that it makes the bullet leave the muzzle of the rifle a shapeless mass, so that it is impossible to have good shooting. As to the sight, I am told that no allowance has been made for windage, and this in a rifle sighted for 3,000 yards. I should like to know whether it is the fact that the Government of Victoria have, after inspecting the rifle, refused it, and that the Government of India have also refused it; and whether Papers will be laid on the Table having reference to an order by the Indian Government for 70,000 of these rifles. The Secretary for War alluded to the Report of September 5, and to the inability of the Committee to break down the rifle after repeated trials, but if the right hon. Gentleman will go down to Aldershot he will find that Tommy Atkins has broken it down very completely with his unaided ingenuity, and that something like 40 per cent. of the weapons in the hands of the troops have been sent back to the Sparkbrook factory, at Birmingham, for repairs. Yet the Report stated that the rifle was practically perfect. Sir Redvers Buller also said in November last year that the rifle was a good one, and on that statement the Secretary for War said that practically it was the best of rifles. In December Sir Redvers Buller admitted that, after all, he did not know much about it, so that I think the Committee have, to some extent, stultified themselves. What is wanted for rough work in the field is simplicity, strength, and cheapness; and I do not think that this new rifle combines those qualities. The shooting with it has been unsatisfactory, and the mechanism has been perpetually breaking down. I do not wish to trouble the House any further, and I should not have ventured to make these observations had I not noticed in the *Times* of this morning a statement to the effect that military Members always address the House on such subjects as increase of pay, but that when anything comes to the front concerning the efficiency of the Army they usually hold their tongues.

(7.14.) Mr. SETON KARR (St. Helens'): As the right hon. Gentleman the Secretary for War has invited questions, I should like to know, in the first place, how many shots he has had fired out of one rifle? I put the question, because the method of manufacturing the bullet adopted in connection with this rifle is an entirely new one, a distinct innovation on all previous methods. The bullet consists of a metal cover, encasing a leaden core. I should like to know the result on the rifling of shooting 2,000 or 3,000 rounds out of this magazine rifle, because I believe that the shield covering the bullet is liable to be stripped off—as a result, the bullet leaving the muzzle of the gun in a shapeless mass. But there is another danger. Supposing the shield should stop in the rifle, I believe that an inevitable result would be that the rifle would burst. If the rifling is not hard enough to pare off the shield of the bullet it will get worn out in something like 1,000 rounds. These considerations make me most anxious to know whether the right hon. Gentleman has had a sufficient test made of the rifle. To my mind, the only good test would be to have some of the rifles fired 5,000 or 6,000 times. We cannot place too much importance upon this point. Then, as to the trajectory, I think the hon. Member for Galway has attached too much importance to the new rifle in this respect, and I venture to doubt the accuracy of the hon. Member's figures, having taken some interest in this matter for 18 years, and being somewhat conversant with the trajectory of firearms, especially of sporting rifles. Although the question is of more importance in modern rifles as compared with the obsolete weapon of many years ago, at any rate it is not of such importance as the hon. and gallant Member would have the House believe. It seems to me of great importance if the flatness of the trajectory is to do away with the elevated sight. In the case of the Army rifle, we cannot do away with the elevated sight, although we can in the case of sporting rifles, which are only intended to carry 200 yards. In the case of the sporting rifle, the trajectory is very flat, consequently the elevated sight is not required, the trajectory dropping in the case of the "Express" rifle from 10 to 12 inches. However, I do not attach so much importance to this as to the stripping of the bullet and the wearing out of the rifle. But there is one other question to which I wish to ask the attention of the Secretary for War. I desire to know what arrangements are being made for giving a variety in the length of the stock of the new rifle. We have heard a great deal about the necessity of Tommy Atkins having confidence in the weapon which is placed in his hands, and I should like to point out that nothing more disturbs the confidence of the soldier than the kicking of his rifle. It disturbs his shooting, and makes young troops almost afraid to shoot. It seems to me that one of the best ways to get over the difficulty will be to get rid of the present improper fitting of the stock. It does not matter how short, or how tall, how thin, or how stout the soldier is, all have served out to them the same rifle; at any rate, so far as I have been able to learn there are only two sizes, and we should have at least three sizes. Soldiers are simply useless if they do not have a good rifle. I came into the House to-day with the intention of supporting the right hon. Gentleman the Member for Berwickshire, but, after having listened to the speech of the Secretary for War, I do not intend to do that. I do trust, however, that the Secretary for War will reply to these and other questions put to him, and will take care to have every test applied to this rifle that any human being can suggest.

*(7.23.) SIR W. BARTTELOT (Sussex, N.W.): I desire to say a few words on this which seems to me one of the most important questions which can be brought before the House. I may say I am very glad the Motion has been brought forward in so moderate a manner as to show that the question is not in any sense one of Party. What we all desire, and the point to which we should all direct our attention, is to secure that the rifle used by our troops shall be the best that can possibly be procured. My right hon. Friend, in his most able and exhaustive statement, has shown us that the various parts of this rifle are of the best quality that can be obtained, and that the appliances are the most useful that can be given to the soldier. I would ask him, if this magazine rifle is so excellent in every way as he states, why not put it to a practical test? In the spring of the present year an expedition of 7,000 or 8,000 men will be marching in India, and part of this force might be armed with the new rifle, so that it can be seen how it answers in the field. It is true, as the right hon. Gentleman has pointed out, that there were many complaints when the Martini-Henry rifle was adopted, but the result was that there were no fewer than six classes of the rifle issued, and not one of them, except the first, was at all like the original pattern. When things of this kind occur we are driven to the conclusion that there must be some mistake in the way rifles are chosen a pattern sealed, and which pattern has to be repeatedly improved at very great cost. Looking at the fact that you now have the same sort of Committee that you had when the Martini-Henry was adopted—I am not saying or going to say one word against any member of that Committee, only against the system on which that Committee works, the Committee not being a Judicial Committee, as I think it should be, but a Constructive Committee as well—I would ask why, when the Committee had chosen the Lee rifle, the Secretary of State did not insist that any alterations which were necessary should be made by the inventor himself? Absolute power is given to the Committee, and they, with Enfield at their backs, spend as much as they please in experiments, and the country has to pay for all their failures. I have always thought that the sooner Enfield is abolished the better will it be for the taxpayers. It is too close to London. There is as good a factory as can be desired in Birmingham, where coal and iron can be obtained much cheaper than at Enfield, and where, when it is necessary to discharge men, they can at once find employment. The right hon. Gentleman says that the Director General of Artillery is solely responsible for the rifle. What, then, of the Committee who manipulates the rifle? Are they re-

sponsible, or are they not? If they are not, they should not have charge of the experiments. I should like to hear what the right hon. Gentleman has to say on this point, as I think it is a very serious one. I do not disguise my opinion on the matter—I never have done so. It is in the Report of the Commission, of which Sir James FitzJames Stephen was Chairman, that we ought to have an Ordnance Department; and I hold that until we have such a Department we shall never feel secure that we have the best arm in the world. Take care that you do not have amongst your warlike stores arms of different patterns for the Army and the Navy, so that when an emergency arises you do not find yourselves in a dangerous position. It is all-important, as to this arm, that we should have one authority dealing with it, and that an authority responsible to the House. To turn to another point, we have at last copied the bolt-action from foreign nations. English gunmakers are the best in the world; and surely the right hon. Gentleman will not say that if the Government had applied to them for the invention of a block action to suit the magazine rifle instead of a bolt action the required action could not have been obtained. We have also, in my humble judgment, reduced too far the rim of the bore. The hon. and gallant Member for Galway says that the bullets will not strip if a piece of dirty oiled rag is drawn down the barrel of the rifle after the first shot. But how can the soldier go through this process in face of the enemy?

Colonel NOLAN: I said a piece of dirty rag might be used, or the soldier might produce the same effect by breathing down the barrel.

*Sir W. BARTTELOT: The first thing the soldier thinks of is the enemy. He concentrates his attention upon the enemy, and has no time to think of a piece of dirty rag. When an examination of the rifle was accorded the other day, I saw the process of cleaning with the apparatus carried in the stock of the weapon. Though this apparatus was easily taken out, I was assured by the officer in charge that a considerable time was required for restoring it; and I am certain that under these conditions nine soldiers out of ten would lose the cleaning apparatus. We want the most simple rifle that can be found for the class of soldiers we have at the present day. Look at the men of the Reserve and the recruits, and just see the condition they are in with regard to rifle instruction, and especially with regard to this new magazine rifle. Look at the regiments at home, even those in the First Army Corps, and see how you have to send out your best men when they are wanted for service in India or in the Colonies. The right hon. Gentleman the Secretary for War says it is the best rifle that can be produced. I hope it may be so, but when I looked at the rifle for the first time I thought it one of the most complicated machines I had ever seen. I found that it contained no less than 24 screws, and that in all those screws the threads were different, so that if the rifle wanted to be repaired abroad it would be almost impossible to do it, inasmuch as the screws are not interchangeable. There is another point on which I wish to say a word: I have spoken of the breach action of this weapon. I do not like that action; I believe it to be constructed on a mistaken principle because of its want of strength. But all this has been so clearly shown by the right hon. Gentleman opposite that I will not go further into it. But in regard to the ammunition we are not at all certain about it. It is cased either in nickel, iron, or steel, and the twist in the barrel is increased to give the elongated bullet the necessary impetus. The result is that the bullet is stripped, and damage is likely to arise to the rifling of the barrel. These are serious difficulties with a new rifle. I should have thought you would have taken care not only to have perfect ammunition, but also perfect powder; but I am told that, notwithstanding what the right hon. Gentleman has said, and of course I accept his word, the black powder used is not all that can be desired. It may be good enough at home, but we may have to use the rifle in all parts of the world, and we ought to have no doubt about the quality of the powder to be employed. With regard to the question of responsibility, we ought certainly to know absolutely on whom the responsibility rests. The hon. Member for Preston has talked of wanting to hang somebody for the mistakes that are made. My right hon. Friend the Secretary for War has told us that when he orders the issue of the rifles he will be responsible to this House. No doubt that is so, but you cannot make him responsible for the rifle itself. The Director General of Artillery is said to be the man who is absolutely responsible; but I ask the House, could we do anything with that officer supposing this rifle were to fail? I am sorry my right hon. Friend opposite has asked for a Royal Commission, because I do not think a Royal Commission the right thing. I should have preferred a Committee of this House, not to take away responsibility from the Secretary for War, but to examine thoroughly into the whole question, and report as soon as possible in order to allay the feeling existing in the country upon this matter. That feeling, as my hon. Friend knows, does exist, and may be communicated to our soldiers themselves. A more disastrous thing than that could hardly be imagined. I hope my right hon. Friend will intimate his intention to propose such a Committee, so that it may report upon this rifle, and say whether we have the best rifle or not. If it is not, we should stop its manufacture; but if it is the best, its issue could be continued, and we should feel that we had done our best to allay the feeling which exists outside this House.

*(7.36.) CAPTAIN BOWLES (Middlesex, Enfield): I merely wish to say a very few words in answer to the remarks of the last speaker in regard to the Enfield Factory. The matter is one on which we ought to consider proofs rather than individual opinions. We know that rifles have been manufactured at Enfield, the cost and workmanship of which compare favourably with those manufactured at Birmingham; and with regard to the setting up of manufactories at Birmingham and other large towns, I think we ought to rejoice at seeing the Government factory set up at a place like Enfield, where the artizans can enjoy healthy exercise and country air. I think that the question as to whether this rifle is a good one, or the best that can be made, is one that ought to be left to military experts. I think the case is one in which individual opinions are of very little importance, because we do not know the circumstances under which they were arrived at. These individuals may have tried the rifle, but we do not know the particular tests applied, and, for my part, I would rather have the opinion of a Committee properly appointed—such as a War Office Committee —to decide which is the best weapon, than the opinion of any person either at Aldershot or elsewhere who may not have had proper opportunity of putting the rifle to the test. As regards the trials which are made at Enfield, I believe there is no neighbourhood better suited for this purpose. I trust the right hon. Gentleman will see his way to uphold the verdict of the Small Arms Committee.

*(7.38.) MR. E. LEES (Oldham): I think the right hon. Gentleman the Secretary for War has successfully proved every part of the case he undertook to prove. He has shown that the Department took every possible care to ascertain which was the best rifle, that the whole subject was thoroughly considered and examined, that the *Times* newspaper has been most inconsistent in the way in which it has attacked him, and that in the rifle which is now served out the Army has got, at any rate, a very serviceable weapon. But he did not undertake to prove, nor did he prove, that the rifle under discussion was the best rifle of its kind now in existence, which, after all, is the point on which both the public and the Army will feel most interested, although it has been proved that it was the best in existence at the time, the Committee sat to decide as to what rifle should be adopted. Since that time, notwithstanding that the right hon. Gentleman has sneered at rival inventions, the rifle produced by Major Godsal has been found to be superior to the rifle now being issued by the Government. I should like to know from the right hon. Gentleman whether we have gone too far with the present rifle to permit of the issue of a superior weapon, if it can be shown that there is such a weapon available, as a substitute. I do not wish to insinuate that the right hon. Gentleman has not fully proved that the Committee took every possible care to see that the rifle they recommended was the best then put before them; but if it be the fact that the Godsal rifle is the

better weapon, I should be glad if he will tell us whether it is now too late to prevent the further issue of the new rifle.

*(7.42.) COLONEL BLUNDELL (Lancashire, S.W., Ince): I think it is clear that, whether we have now the best rifle or not, its manufacture should be proceeded with as rapidly as possible, because it is absolutely necessary that the country should be armed with magazine rifles. What we want from the Secretary for War is an assurance that if hereafter it is found that this new rifle is not a satisfactory arm he shall not allow the prejudices of any officers to prevent our Forces from obtaining a better rifle, no matter what amount of sacrifice the renewal of machinery for that purpose would entail. I desire to add one word as to the bayonet. The bayonet attached to the new rifle is a very short one, making the rifle and bayonet 10 inches or a foot shorter than the German and French weapons. In single combat this shortness is said not to be a disadvantage, but were two ranks of men opposed I think it would be a great disadvantage.

(7.44.) CAPTAIN BETHELL (York, E.R., Holderness): I should like to say a few words on the question of responsibility. The hon. Member for Preston referred pointedly to the responsibility of some person outside this House. I do not think he is either right or just in making this suggestion, because no one can have responsibility but the Secretary for War; it is he who has to approve the weapon which is issued; and whatever either the hon. Member for Preston or others may say, you may depend upon it that the House of Commons would not stop a man's pension for any mistake that may have been made in recommending a particular rifle. In point of fact, there can be no outside responsibility beyond that of the Secretary for War. I think the right hon. Gentleman is mistaken in contending that the primary responsibility rests with General Alderson or with anybody else outside this House. The ultimate responsibility rests, as I have said, with the Secretary for War, and it cannot be taken away from him except by Statute. My hon. and gallant Friend the Member for Galway has spoken of two important points—first, the diminution of the bore, which means accuracy of fire; and, secondly, the question of the magazine. For my part, I am extremely

grateful to the hon. Member for Preston for the clear manner in which he has put his case before the House, and I think that, after his speech and that of the right hon. Gentleman the Secretary for War, the House will feel better satisfied with the new weapon than before this discussion commenced.

*(8.15.) MR. E. STANHOPE: Sir, I can only say a few words, by permission of the House, in reply to the questions that have been pointedly addressed to me, and which I will endeavour to answer as briefly as possible. I have been asked how many shots have been fired out of a single rifle at the trial of the weapon. On this point I am able to reply that at one trial 16,000 shots were fired out of one rifle, and it was thought that was a sufficient test of the weapon, and that it was not necessary to test its endurance any further. My attention has also been called to the length of the stock. That undoubtedly is a point of great importance, and I should not like to express any opinion with regard to it without consulting my advisers. I have been asked whether any orders for the magazine rifle have been given by the Indian Government. I am glad to say that orders have been received from that Government for magazine rifles for the purpose of arming our troops in that country. A certain number have been supplied to the Indian Government, and next year there will be a very large further supply of the weapons sent over. As far as I know, the tests of the rifle that have been conducted in India have been uniformly successful, and the Government have accordingly continued to manufacture the new weapon. I fully admit that there have been difficulties with regard to the supply of ammunition for the new weapon in India, because, if we are going to use smokeless powder, it is important to know whether such powder is suitable for India; but Her Majesty's Government do know that they can provide ammunition that is perfectly suitable for that country, and until the adoption of smokeless powder is definitely decided upon, black powder ammunition will be issued for use in India. With regard to the stripping of bullets, the Department believe that they have entirely overcome that difficulty, although in the ammunition that was first issued the powder

was not suitable for the bullet. I am glad to say that, as far as I know, in the new ammunition the difficulty has been overcome, and in the new ammunition no stripping of the bullet need be feared with the black powder and the improved bullet that are now used. I have been asked to give the House an assurance that we have now got the best rifle. Of course, a time must come, in making experiments with these weapons, when something like finality must be admitted, and we must accept the best rifle that can be produced at some period or another and proceed with the manufacture of it. I believe that we have got the best rifle that can be made now; but it is quite possible that three, or four, or five years hence some improvement may be devised which will leave this rifle behind in the race. I am, at all events, sure that we have the best rifle that exists for the time being. Of course, if at any future time great improvements are made in rifles, and their power is so enormously increased that it becomes necessary to introduce a new one with which to arm our Army, the whole subject will have to be gone into again. As to the bayonet, I believe that the new one is a suitable and a most satisfactory one, the Reports from the different districts being generally in favour of it. It is true that it is shorter than the old one, but every country that has adopted the magazine rifle is using a shorter bayonet. I hope that the new bayonet which has been adopted will prove a very handy weapon, and that it will not be found at all too short. The hon. and gallant Member for Sussex has made the only really hostile speech in the course of the Debate with regard to the new rifle; but I must remind the House that the hon. and gallant Gentleman made a similar speech with regard to the Martini-Henry rifle, and I think that his present speech with regard to the new rifle will be attended with similar results to those he then experienced. The hon. and gallant Member asked me whether the expedition that is about to take place in India will not afford a good opportunity of testing the magazine rifle; but the fact is, that there is no ·303 ammunition in India at the present moment. Some rifles have been issued for use in that country. Moreover, as our troops in India have not yet been trained and instructed in the use of the new weapon, it is quite impossible that the rifle could be issued for the purpose of an expedition that is to start next month. The hon. and gallant Gentleman made the extraordinary suggestion that the best mode of trying whether or not the rifle is a good one is to appoint a Committee of this House to examine and to decide upon it. I do not know whether hon. Members are inclined to accept such a responsibility; but even if they are so inclined, I very much doubt whether the country would consider that a Committee of this House is a proper body to decide such a question. Very few men in this House are competent to pronounce an opinion as to whether this rifle is suitable or not for the Army, although, doubtless, the hon. and gallant Member himself is one of the few who are. But, however that may be, I do not think that the decision of a Committee of this House on the question would be likely to increase the confidence of the Army or of the country in the fitness of the weapon, but, on the contrary, would be likely to decrease that confidence.

*(7.54.) MR. MARJORIBANKS: I mean, Sir, to say a very few words in reply to one or two points raised by various speakers. The hon. Member for Preston made rather a point of the fact that this rifle has been found very successful in certain tests in Roumania, and he also inferred that the rifle had been adopted by the Roumanian Government. I have here a letter from the wife of a Minister of War in Roumania, who writes and says that her husband assures her that magazine rifle ·303 will not be adopted, and I believe has not been adopted as a matter of fact. Switzerland, too, has certainly put the magazine rifle aside, and the weapon was shown to a distinguished Russian War Office official, who instantly opened the breech, twisted aside the cocking piece, and said, "We know all about that; you do not suppose we are going to adopt such a weapon as that?" My hon. Friend the Member for Galway took some exception to the remarks I made with regard to the bore of the rifle, and he expressed doubt as to using a lead bullet in a bore so small as ·320 in. I said that ·320 in. was the smallest bore in

which you could use a lead bullet but I did not recommend it. My own idea is that it would be much better to have a bore of ·360 in. or ·380 in. With regard to the speech of the right hon. Gentleman the Secretary for War, I think it was coloured by official optimism. The right hon. Gentleman was obliged to assume the responsibility of the rifle, and naturally held it was the best possible arm. I am not surprised that he should have adopted that line of argument. I do not believe that that is the case, and that opinion I think is shared by many people outside the walls of this House. The right hon. Gentleman, in quoting the letter of a distinguished rifle shot, said the rifle was very good, if only the right ammunition was obtained; but, Sir, that is a very big "if." Having adopted this very small bore, it is exceedingly difficult to get good ammunition. You have an expensive composite bullet admittedly imperfect, and far from having got smokeless powder, you have been compelled to fall back on a compressed pellet of black powder, which is smoky, dirty, and foul. I think it was hardly fair on the part of the right hon. Gentleman to insinuate that the letter which I wrote to the Financial Secretary on the rifle lent me by the War Office was founded on what appeared in the *Times*. I can assure the right hon. Gentleman that my criticisms, such as they were, proceeded from my own, perhaps not too fertile, brain. He did me the honour to quote a single sentence of that letter, which suited his own purpose, but gave an utterly false idea of its general tenor. I endeavoured to say all the good I could of the rifle; I did not wish at all to take a partial or distorted view. I found that it shot very well, only that I thought the bullet was much affected by the wind. I believe that has been the experience of every one who has fired the rifle. My criticisms on its mechanism were similar to those I have now made in the House. It is perfectly true that the Martini-Henry was years ago objected to in this House on grounds in many respects like those brought forward about the new rifle to-night; especially was that the case with regard to the extractor, which was shown to work on wrong mechanical principles, depending on the short arm of the lever instead of the long one. The scientists on that occasion were sneered at, but in a short time they had their revenge, and full effect was given to their views by a reconstruction of the extractor. I must put the House to the trouble of a Division, because I wish to put on record that some, at any rate, do not agree that this rifle is the best possible of all rifles. I wish to put on record a protest against the decision of the Government in not allowing inquiry as to whether its breech action and various parts are founded on sound mechanical principles.

(8.0.) The House divided:—Ayes 74; Noes 108.—(Div. List, No. 33.)

Main Question, as amended, put, and agreed to.

Resolved, "That it is undesirable, by the appointment of a Royal Commission inquiring into a detail of military administration, to weaken the full responsibility of the officials, specially charged with that duty, for the recommenda-i and adoption of the new magazine rifle."

HIGHER EDUCATION (SCOTLAND).

*(8.41.) MR. C. S. PARKER (Perth): The subject to which I invite the attention of the House is the effect of Government Grants on higher education in Scotland. I think that English Members who follow subjects of the kind may take an interest in it, for this reason——

Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

*MR. C. S. PARKER: It is the good fortune of Scotland to possess a national system of education, which, as compared with that in England, comes down from an earlier date—if not from the time of John Knox, but, at all events, in statutory form, from William III. The system is also more comprehensive than in England. It has been the pride of Scotland that the humblest of her population have had the means at home of preparing, in the first place, for the Universities, and afterwards for the learned professions. I do not suppose there is in the world a country which has a larger proportion in the learned professions of those who received their first training at a humble parish school. I ask, then, that the question may be treated from a Scottish point of view. I do not propose that the House should necessarily accept the views of the Scotch Members, because in all educational questions there are principles involved which need mature consideration in consequence of their bearing upon England and Ireland. But I hope those who are going to vote on this question will endeavour to plant themselves in Scotland as regards the facts. I must say that on looking over the annual Reports of the Scotch Education Department I have sometimes wished they gave in a more prominent form the facts relating to higher education. Yet, even as it is, English Members may be surprised to find that, whereas in the English Reports you read of almost nothing but elementary education, in the Scotch Report of last year there are examination papers in high mathematics, Latin, Greek, and modern languages, including Italian and even Anglo-Saxon. But for most of the facts I must ask leave to refer to a Report made two years ago by a Committee, of which I had the honour to be a member, and to express my regret that I have not the support this evening of any of my colleagues. One of them, Mr. Cochran-Patrick, then an earnest advocate of education on the Conservative Benches, is now permanent Secretary of the Scotch Department; another, the hon. and learned Member for the Inverness Burghs (Mr. Finlay), is unfortunately called elsewhere by a political engagement; and a third, Dr. Craik, as Secretary for Education in Scotland, cannot take part in our Debates, and could not sign the recommendations. But for the facts set forth in the Report Dr. Craik as well as the other Members is responsible, and the Resolution I have to propose is taken almost verbatim from recommendations of this Committee, appointed by the Government to advise them on the question of higher education. It may be asked what I include in higher education. I am prepared to give a very broad and simple definition. I do not care whether it be classical, or mathematical, or scientific, technical or practical. I call higher education all that goes beyond the usual standard. I would even measure it by age, and say that by higher education I mean education continued beyond the usual age. The question which is pressing for solution in England arises also in Scotland. It was preached with persistent iteration by the most distinguished man who ever served as an Inspector in the English Education Department, the late Mr. Matthew Arnold. "Organise," said he, "your secondary education." The chief attempt to do so in England is based on the Report of the Schools Inquiry Committee, who, on a survey of England and Wales, came to the conclusion that the safest way to discriminate between the different kinds of education was by the ages at which children would leave school. Elementary education they took as ending at 12, and the third, second, and first grades of secondary education as ending at 14, 16, and 18 years. In Scotland the case is different. The Scotch rarely keep their boys at school beyond the age of 17. Some go to the University before 17, but generally speaking at that age the University training begins. The higher education conducted in the Universities is subsidised by the State to the amount of £42,000 a year, and powers have been given to a University Commission, who, I trust, will take care that the Universities shall not encroach on school life, but shall give up the practice, fast dying out, of taking almost children and teaching them the elements of knowledge. Then, on the other hand, education in the ordinary Scotch schools cannot be regarded as ending at the age of 12. The recognised school age in Scotland is 14, and some stay at school until 15, which leaves only two or three years for secondary education elsewhere than in the ordinary schools. In short, higher education in Scotland is of two kinds. One kind, from the age say of 12 or 13 to 14 or 15, is found in the ordinary schools some of which have higher departments. But those who are to remain till 17 should be sent from the first to the secondary schools proper. In speaking of the education given between 13 and 15, I should like to remind the House that whatever we choose to call legally the school age in Scotland, as a matter of fact, statistics show that there is a falling off of 24 per cent. in the attendance from 12 to 13, and of more than 50 per cent. from 13 to 14. So that practically

12, or perhaps nearly 13, is the age at which the ordinary education terminates. But provision should be made for the few who remain longer. And first, I desire to say a word upon the country schools, in regard to which opinion in Scotland is very unanimous. As a member of the Committee to which I have referred, I had occasion to examine a good many teachers from the country and school Inspectors. We found these teachers and Inspectors unanimously of opinion that the country schools should, if possible, have sufficient teaching power to prepare any boys in the neighbourhood who may be thought fit for entrance to the Universities. At present, however, the present staffs of these schools are insufficient for such purpose. In a large number of schools in Scotland—about 1,000—there is only one certificated teacher who is assisted usually by a pupil teacher. We suggested the addition of an assistant teacher, in which case one or other could take charge of the boys in the higher subjects. All the children would be better taught, and the pupil teacher would be relieved of a great deal of pressure. I think pupil teachers are, as a general rule, called upon to do more school work than is good for them. If there were a staff of two competent masters they could relieve the pupil teacher of some school work, and would be better able to carry on his education n the evening. And this is of importance, because from the pupil teachers are drawn most of the future teachers. Again, in the country, as well as in the towns, it is very desirable there should be something in the nature of continuation schools, but it is hopeless to ask a single-handed teacher to do much evening work. It is estimated that each of these 1,000 schools could be provided with an additional master for £60 a year. One-half of that amount might be obtained from local resources, so that a grant of £30,000 a year would provide the schools in the rural parishes of Scotland with an adequate teaching staff. Passing now to towns, the question becomes more complicated. There are private schools in the towns—there is the Edinburgh Academy, for instance — which simply ask to be let alone, and that their competitors shall not be too heavily endowed. The Glasgow Academy and the Kelvinside Academy find themselves hard pressed by the competition of the State-subsidised schools, and it has been suggested that they would be only too happy if the School Board of the city could see their way to take over the whole establishment, employing, of course, as many of the present masters as possible. Next, there are endowed schools. I remember—it is now getting to be an old story—when the endowments for education in Scotland were running in some considerable degree to waste, and one of my earliest speeches in this House was in support of the then Lord Advocate (Lord Moncreiff), to enable a reorganisation of the endowments to be brought about. These are now admirable schools, only too powerful for their rivals in educational labour. This may be said of Gordon's College, in Aberdeen, of which I can speak with some personal knowledge. Gordon's College is an endowed school, with as admirable a plant for science teaching and applied mechanics as any school in the Kingdom. All I would remark in regard to these schools is—it is my opinion, but I am not sure whether I carry my colleagues on the Committee with me—that it is perfectly right to do as the Commissioners did in these endowed schools, to admit others than those who are the objects of the Charity to profit by the excellent education given. But I am inclined to agree with an increasing number of hon. Members who hold that it is hardly fair that parents in general who are well off should obtain for their children such education as they do at some of these endowed schools at the fees they pay. I think the resources of the school would go further, and it would be fair, if you required from well-to-do parents some substantial contribution to the funds of the school, as is the practice in the great English public schools. That would tend to diminish what I admit to be an evil, the rather formidable competition of these endowed schools with private enterprise. I now wish to draw attention to two remaining types of schools, rather sharply contrasted financially, but in all other respects tending to resemble each other. There are, on the one hand, a growing number of schools which conform to all the conditions of the Code, which keep within the conditions of the Code and are able to earn large Government grants, and at the same time have the one object and ambition to develop themselves as secondary schools. I really think it would be rather a revelation to the House if I were to read a prospectus of one of these schools, the Garnet Hill School at Glasgow. This is a grant-aided school. The building is designed as a secondary school, in accordance with modern views and requirements; it has chemical and other laboratories, a lecture room, a large hall to be furnished for art and science classes. English literature, modern languages, classics, mathematics, science, drawing, political economy, logic, and other higher subjects are taught. The full course occupies four years, and qualifies for the Universities or the higher grades of the Civil Service, as well as fulfilling the requirements of the Science and Art Departments; and girls are prepared for the junior and senior University examination. It must be admitted this is a somewhat ambitious institution; but at the same time I am not prepared to say a word against it. When I find such excellent work being done, I do not like to encourage hasty interference. I will just mention one other school of the type, at which recently I was present to give away the prizes. I mean the Harris Academy at Dundee. There I was invited to the class-rooms, not, as is sometimes the case, to ask questions and take a class one's self, which is a favourite resource of those who do not care to teach before the public, but to hear the classes taught, and I thought the method and manner of teaching excellent, comparing well with English public schools. I was shown the music room, where some 200 boys and girls were present, and I was asked which chorus from the "Messiah" I would like to have sung; they were prepared to take any chorus from the "Messiah." And I am told the singing there is better than in any other school in the Kingdom, and perhaps than any school in Europe. There were cookery classes also, where cookery of the national order was taught. I found a "haggis" in preparation, which was, of course, quite proper to be taught in a Scotch school, though it is a dish unknown to most Englishmen, and by them unappreciated. Now, what are the funds of the Harris Academy? Roughly speaking, half the cost of the building came from the endowment of Mr. Harris, but the school draws a considerable sum by Government grants. The sum drawn in a year by this single school is £1,354 direct from the Government, and a larger sum in fees from parents. It is rather remarkable that we should have gone so far in subsidising schools which carry education so high, and it is done, I fear, on a principle that is not very satisfactory; for whereas the real object of the schools is higher education, they earn grants by conforming to every rule laid down by the Department with a view to elementary education. Under considerable difficulties they produce admirable results, but these would be better still if the schools were recognised as secondary schools, and were not under the necessity of keeping up the appearance of primary schools. Then there only remains one other kind of schools, and on behalf of these schools I ask the House to take a favourable view of my Resolution, what are technically called in the Scotch Education Act "higher class schools." That is rather unfortunate nomenclature. The other schools of which I have spoken are called "higher grade schools," but these under the Act are called "higher class schools." They teach very nearly the same subjects, classics, higher mathematics, &c. Yet, though the teaching is nearly the same, they are totally differently treated in matters of finance. At first the higher class schools got nothing in the way of help from the public except what already belonged to them, some share in the funds which handed down by tradition for education, became a legal claim upon Town Councils. The Education Act of 1872 gave them nothing beyond. They did not come upon the School Fund until some years later. Power was then given to the School Boards to spend on these high schools more freely, and in Edinburgh and Glasgow at least £400 a year is paid to the high schools; besides which there is a liberal expenditure in both cities in the way of keeping up buildings. But although this in Glasgow has worked admirably, and in Edinburgh fairly well under the School Board, and although it works after a sort in such a city as Aberdeen, if you look at the Grammar Schools there, it is in a position that compares very unfavourably with their rival Gordon's College. The question is whether it is fair to bring these schools under School Boards and under the supervision of State Inspectors, and at the same time to let them draw no funds whatever from a central source. What is the nature of the Resolution with which I propose to conclude? We ask the Education Department to consider the desirability of extending grants to these secondary schools, believing that the effect would be greatly to popularise them. Of course, good teaching cannot be had without payment of good stipends to masters, and these schools find themselves in a position where their only resource is to charge high fees, and so become less popular. They have no alternative but to impose high fees; and this, of course, they find it difficult to do where they have admirable endowed schools competing against them at very low fees. To the credit of their teachers, they mostly prefer, instead of falling into the position of higher class schools, to place themselves in a position to attract a large number of pupils by low fees. I couple the recommendation of grants in their favour with another recommendation, namely, that a certain number of free places should be thrown open for competition among children of grant-aided primary schools. In some foreign countries there are 10 per cent. of free places in such schools, and this greatly stimulates industry in other schools, bringing out the pick of the boys for higher education, and it would be a great benefit also to the high schools. They are poorly endowed, they are under public management, and they get very little from the rates. One reason is because the area of the rate is narrower than the area from which the children come, and I hope under County Government we shall have that reformed. Then they get nothing from the Government, and that is what I wish to remedy by this Resolution. I had a hope the Chancellor of the Exchequer might have been present this evening, and possibly he may be here before the discussion closes. He is a member of the Committee of the Council for Education for Scotland, and I should have been glad of the opportunity of appealing to him personally on the financial question. What I would say to him, and what I now say to the Lord Advocate, is this: In my humble opinion, money bestowed in this way would be an excellent investment. I am prepared to maintain that money thus paid for higher education would not only benefit those who attend the schools, but the standard would be raised throughout the country. There is more to be said for such investment than for money devoted to perpetually building new ironclads, or even to the magazine rifle. The second thing I wanted to represent to the Chancellor of the Exchequer is this: There is, we hope, going to be a great opportunity this Session. I am one of those who always wish well to the progress of business, and I wish especially that the Government may succeed in carrying a measure for free or assisted education in England. If they obtain assisted education in England on anything like the same scale as was given to Scotland, I suppose it is well understood they cannot take the funds from the rates, or money on its way to the rates, but will have to go to the Chancellor of the Exchequer for it. Well, then, I think Scotch Members will have something to say. We are very willing that the money should come from the Exchequer; but if England is going to take the cost from that source, then Scotland may fairly claim a further sum, perhaps as large as that which she has already obtained. I do not take it for granted that it is all to be spent in education. I should like to see it so expended, but it is to the credit of the ratepayers that they forewent their claims to relief in favour of education; and they may now put those claims forward. But besides £30,000 wanted, as I have shown, to strengthen the staff of county schools, at least a similar sum might be wisely spent in aid to secondary schools. The reason why there are no more of them is because the State is so much more ready to subsidise what are called the higher grade schools. School Boards say, although these are not what we want, let us have the schools that draw the Government grant rather than those that do not. The distinction is one that, I say, should not be maintained. I should be ruled out of order if I moved a direct money Resolution, but all we wish to do is to place on record what we believe to be the desire of Scotland in this direction. When money becomes available—and there is every prospect of it becoming available—I ask the Government to take a friendly view of the Resolution I now move.

Motion made, and Question proposed,

"That, for the better organisation in Scotland of Higher Education, it is desirable that there should be Grants in aid of it, not only as at present, to the Universities and to Primary Schools, but also (as recommended by a Departmental Committee in 1888) to the Public Secondary Schools, on condition of their general efficiency, and of free places being reserved in them for competition among children from the grant-aided Primary Schools."—(*Mr. C. S. Parker.*)

*(9.22.) MR. J. PARKER SMITH (Lanark, Partick): I wish the Chancellor of the Exchequer were here, not that I feel that the Lord Advocate and the Solicitor General for Scotland do not fully represent the Government, but I hope we may find that in urging our views upon them, we are pressing upon an open door; and I know the difficulty is one with which the Chancellor of the Exchequer is concerned, and I believe if he were here he would find the same view expressed by Members from Scotland of all shades of opinion, that if money is forthcoming for Scotland, a fair slice of it should be devoted towards developing secondary education. The interest in this matter is general in Scotland, it is not confined to the few. I do not know that I can put the case clearer than by quoting the words used by Mr. Forster, when opening a higher grade school at Govan:—

> "No class pays in taxes and rates so large a proportion out of income as the lower section of the middle class, and the higher section of the artisan class. They pay rates for the education of their fellow citizens, and they say we have a right to get a return for our rates by at least some amount of benefit in the education of our children, and they have such a right most undoubtedly."

After the speech of my hon. Friend I need not go into the question at large, and I will only take one part of it. There is at present a very considerable amount of the secondary education which exists in Scotland, taught in the higher grades of the grant earning schools, schools open to everyone; and in these a vast deal of work in higher education is now, and always has been done. It is an old Scotch tradition; and a combination of elementary and higher education has always existed, and the only serious fault found with the Education Act of 1872, is that it tended to discourage a large amount of higher education that could be got from the grant-earning schools. That is an old Scotch principle, and it seems to me that it is a principle we ought not to desire to dispute, our aim should not be to get rid of it. If you had a clear field for educationists, you might wish to make secondary education independent from the beginning, but that you have not got. You have got the schools as they exist doing good work, and to destroy them to gratify any theoretical educational principles would, it seems to me, lead to very great mischief. My hon. Friend has quoted the prospectus of the Garnet Hill school, but he did not quote the judgment of the Committee on this school, which was very favourable indeed as to teaching, and the progress of the boys in the school. In the opinion of the Committee, the attainments of the pupils were not quite up to those of the academies and high schools, but they came very near indeed. It is said the clever boys ought to be taken away from the grant-earning schools, and sent to the secondary schools, but that is not a policy you can fit in with the existing system pursued by schoolmasters in Scotland. To take these boys away would discourage the masters from carrying their teaching beyond the standards. They would not have the same keenness in their desire to help on boys who wish to go outside the standard. The secondary schools are very much handicapped by these higher grade grant-earning schools as they are called. It is not fair that a cheaper education should be given in these schools to those children whose parents are well able to pay a fair price for the better class of education they wish their children to have. If you are prepared to devote something to the further development of secondary education, the policy should be to give grants in aid to schools where secondary education comes in by some method that will not limit you to particular schools, but will enable good teaching to be acknowledged, and to receive grants wherever you may find it. It is a very unsatisfactory state of things in these higher grade schools that they are driven to resort, I might almost say, to subterfuges to bring themselves under the terms of the Code with power to earn grants, while at the same time they have a very strong and most laudable ambition to compete in their teaching with secondary schools. The present system severely handicaps the schools that are not grant-earning, and rivalry is difficult; but if you can extend the terms of the grant beyond its present limitation, then you will find the higher grade schools quite prepared to meet you. It is, no doubt, true that it would be more satisfactory for them not to have to be striving to have to keep themselves under the terms of the Code. But you would have them coming outside and proclaiming themselves as what they are—secondary schools. You might have either the higher departments of the school declaring themselves secondary schools, while the lower departments remained under the Code as at present, or you might have the whole school developing into a secondary school. That would be a matter of convenience depending, probably, upon the terms in which you give your grant to the school. At any rate, you would have the schools boldly declaring what they are, and not calling themselves less—not professing to be elementary, while they really give a considerable amount of secondary education. Let there be a grant in aid to schools that give secondary education. Let that grant depend upon the general efficiency of the schools, and also on local contributions from whatever source they may come. It seems to me that you ought not by any Government grant to put a school at all in the position of being independent of local contributions, but that you ought to recognise all local contributions equally, whether those contributions come from endowments, rates, or fees. I think also that in secondary schools, assisted by the Treasury, you should secure that which has been the charter of Scotland in this matter, namely, that the poorest and the wealthy alike shall obtain a fair share of education. In these schools you ought to have some system, either by bursaries or free places in schools, by which you will enable the son of a poor man, without putting himself on a false footing, to get the same education as the son of his more wealthy neighbour. You have that system in many of the public schools — at Winchester and Eton—where a boy on the foundation does not feel himself in a worse position than the son of the man who pays four or five times as much for the education. That system should be adopted in Scotland, and the Government should make it a condition in spending the money of the nation on secondary schools. In this way, I submit, you would be extending and developing the policy of education laid down in the Preamble of the Act of 1872, which says that it is desirable to amend and extend the provisions of the law of Scotland on the subject of education, so as to make efficient education available to the whole people of Scotland. It is not only to those who desire elementary education that the system of national education has always been extended. It is for the whole people of Scotland—to give to every clever boy, whoever may be his father, the opportunity of obtaining at the least expense the best education that Scotland can give.

*(10.36.) Mr. DONALD CRAWFORD (Lanark, N.E.): I think we are indebted to my hon. Friend the Member for Perth for bringing this matter before the House. I have no doubt that among the various legislative problems of interest with reference to Scotland which await the consideration of Parliament, there is none more important than that of secondary education. I am sure the Government will be fortunate—whether the present Government or its successor—to whose lot it falls to take this matter in hand and carry it through on right and successful lines. I may perhaps be allowed to advert for a moment to the way in which the subject presents itself to the University Commission of which I am a member. I say, and I do not think I should be disavowed by any of my Colleagues, that it is not possible to place University education itself on a right footing unless secondary education is properly organised as a part of the general system. Coming to the Motion before the House, I should be content with the affirmation of the principle that the organisation of secondary education

ought to be the concern of the State. In saying that I think I go a little short of the terms of the Motion. My hon. Friend has adverted very skilfully to some of the practical difficulties and problems which meet the Legislature in working this matter out. He has pointed out how the higher graded schools in a particular part of Scotland, which form a subject of burning controversy there, while they are doing excellent work, find themselves somewhat in a false position. If the scheme he proposes were carried out they would be apparently relieved from that position, and would be placed definitely and frankly in the position of secondary schools. Again, the higher class schools, which are specially noticed by the Education Act of 1872, are in a somewhat difficult and starved situation at present. This also, he argues, would be remedied, if we adopted the principle of subsidising secondary schools. But though he has thus given reasons of no little weight for adopting that course, I should be content with something short of it—with the affirmation of the principle that secondary education was to be a part of the national system. I would work that out a little further in this way. I think that one of the most important remarks that my hon. Friend made was that the area of rating for the support of secondary schools is at present insufficient. You have got no authority in Scotland at present to manage the higher schools any more than the lower schools, except the School Board, and the area of the jurisdiction of the School Board is too limited for the support of the higher class schools; and, accordingly, what I would ask the Government to keep in view is the idea that the county is the proper area of rating, and that the County Council is the body to which the administration of the secondary schools should be entrusted. The education would not always be the same. In the industrial districts of a county no doubt great weight would be given to technical education. In other parts of the same county agricultural education—which I suppose also comes under the head of technical—would receive great attention, and it seems to me that you would not easily find a better body for the administration of these schools than the County Councils. As to the best way of dealing with any aid from public funds, it seems to me that the best course to adopt might be not to make it a grant payable under the control of the Education Department, as in the case of elementary schools, but to deal with it in the same way as was done in the case of the Spirit Duties. The Spirit Tax was given to the Local Authorities, with power to apply it to technical education if they thought proper. That is one way that might be tried—I do not say it would be the best way—to give the money to the counties and let them apply it for secondary education in whatever way they may think wise. But my only object in rising was to join my hon. Friend in urging on the Government the extreme importance of this question of the organisation of secondary education in Scotland, and the desirability of giving it equal prominence and equal recognition with elementary and University education.

*(9.47.) MR. J. A. CAMPBELL (Glasgow and Aberdeen Universities): I agree with the hon. Member who has just spoken, that the House is under an obligation to the hon. Member for Perth for introducing this matter. There is no doubt the subject of secondary education is one that attracts much attention in Scotland, and with regard to which the intervention of the Government is very desirable. University education has been dealt with, and primary education also; we are still without anything like a proper treatment of the equally important subject of secondary education. The higher grade schools established at present under the Education Act are doing useful work in this department of education, but they place those higher class schools which do not receive State aid in a very unfortunate position, inasmuch as these are left without the assistance which their rivals enjoy. It is extremely desirable that something should be done to remove this inequality, and at the same time to improve the general organisation of higher education. I would point out that the improvement of secondary education has already been taken in hand by the Government, although it has not been thoroughly dealt with. In the Report of the Scot-

tish Education Department there is a chapter dealing with secondary education. The Department has organised a system of inspecting and examining secondary schools, not only those under the Department officially, because under the management of School Boards, but other secondary schools also, which are willing to place themselves under the Department for the purpose of being inspected. That of itself is a considerable step in the way of dealing with secondary education—and a very useful work it is that the Department does. In addition, the Government has of late years introduced a system of leaving certificates, which has reference to the study of the higher subjects. In this way the Department is already committed to having some care of secondary education. What I believe the hon. Member for Perth desires is that the work should be more completely carried out, and that some positive encouragement be given to it by assistance from Imperial funds. How this assistance should be given and applied is a detail on which I would not venture to speak. I think we may hope that there will be money available for a purpose of this kind. In the meantime, I think it is enough for us to express an earnest trust that the Government will take this subject into consideration, and propose something effectual for the improvement of secondary education in Scotland. I hope, however, that this will be done in such a way as not to interfere with the responsibilities of parents who are able and willing to pay for the education of their children; that it will not be a wasteful system of giving cheap education to those who are quite willing and able to pay higher fees; and that the grant shall not be given so as to stand in the way of private benefactions. I believe some assistance in the way of a money grant to secondary education may be given in such a way as to encourage, and not to supersede, private benefactions. We may have further private endowments, and I believe these would be encouraged rather than hindered by some tangible expression of the interest the Government takes in this department of education. I thank the hon. Gentleman opposite for introducing the subject, and I trust we shall have such a reply from the Lord Advocate as will satisfy us that we have the sympathy of the Education Department and the Government in the object we have in view.

*(9.53.) MR. ESSLEMONT (Aberdeen, E.): I join with those who have gone before me in expressing our indebtedness to the hon. Member for Perth for bringing this subject under the consideration of the House. No one who has given the most superficial attention to education in Scotland can be unobservant of the present difficulties between primary and University education. Speaking on behalf of a county, I may say that the difficulties which exist there far exceed those in Scottish cities with respect to secondary education. In the cities there are the old high schools, participating more or less in the corporate endowments instituted generations ago. They have also very large private benefactions for higher grade education. I would take the liberty also of thanking the Member for the Universities of Glasgow and Aberdeen, as one of the Endowed Schools Commissioners, for the great assistance Scotland has received from them in the diverting the money of those endowments, which have heretofore been too contracted in their administration, to the general purposes of higher grade education within the reach of the poor. But I must join issue with the hon. Member for the Universities, and with some of those who have already spoken, as to the desideratum that they are continually harping upon with regard to getting those who are in better circumstances to pay for their education. We have a national system of education or we have not. If we have a national system upon a fair basis, then, I maintain, it is our own fault if we do not make the wealthier classes pay their fair share by regulating the incidence of taxation. But the difficulty, in my opinion, can be much better met—by taking such sum of money as we have in endowments and otherwise, and giving them to competition, in such a way that the scholars attending the poorer schools may gain their education on their merits. I was rather surprised that the hon. Member for Perth did not devote a little more attention to the present machinery which we have

for higher grade education. I do hope that the counties and the cities, which are counties in themselves, will so apply the £40,000 which they at present have within their reach, as to show that Scotland is all alive to the interests of higher grade education. I should deplore it exceedingly were our counties not to take up this subject, and so apply the money as to demonstrate to the House that we are anxious and ready for a much larger amount of attention to be bestowed on higher grade schools. But let me put before the Lord Advocate one difficulty which exists in the system as outlined in the Motion before the House. A difficulty is felt in Scotland among poor parents in maintaining their children, anxious for higher education, away from home; and I therefore advocate the establishment in the counties of Scotland of a more comprehensive system than the present School Board. There are some School Boards in the counties where there is only one school. However excellent that school may be there will not be many poor parents who will be able to take advantage of it. We should, therefore, have these higher grade schools in at least five mile areas. I agree most heartily with the hon. Member for Lanark in saying that an affirmation of the principle in this House is all that we desire at present. I have no doubt if the principle is affirmed the people of Scotland will find a means of working it out, and let me press on the Lord Advocate this further consideration. We are paying now a large sum for elementary education, and the children are leaving school at an early age, in consequence of the excellence of the education they are receiving. It is no uncommon thing for boys and girls of 11 and 12 to pass the compulsory standards, and to go into service. From 12 to 20 these children are absolutely without education, and the result is that the elementary education they have acquired is absolutely lost. It should not be forgotten that we do not hesitate to vote large sums for the Scotch Universities in aid of the education of the sons of noblemen and other persons of means, and this being so, why should we allow the higher grade schools to remain unsupported by grants from the State? I hope we are approaching a period when the present distinctions as to the standards will be done away with, and there will be no difference in regard to the grants made, as between the 5th and 6th or any other standards, so that every child may be enabled to receive such an education as will enable it to compete with those who are, both on the Continent and elsewhere, favoured by the strong efforts now being made in aid of technical and higher education.

(10.1.) MR. M. STEWART (Kirkcudbright): The question before the House is one in which I have taken the greatest interest for the last 20 years. Living in a somewhat remote part of the country, I find that the greatest difficulty exists on the part of the farmers and other comparatively well to do people in regard to sending their children to better schools than the ordinary parochial schools. After these children have finished their education up to the 6th Standard, they require something higher to fit them for going out into the world, and the consequence is that many of them leave their homes at an early age, and have to be boarded out in some neighbouring town for the purpose of attending better schools, at the cost of a good deal of expense and self-denial to their parents. It occurs to me that the proper thing to do would be in every large parish to have at least one school set apart for the purposes of secondary education in that particular district. I cannot but think that it would be a very desirable thing if the Department could see its way to giving a Parliamentary grant to schools of that kind, if they are found to fulfil all the requirements of good secondary schools. I can hardly agree, however, with the last speaker, as to the necessity of doing away with all class distinctions, because in the existing state of things they cannot be avoided. There may be something very grand, and very Scotch, and very patriotic in the idea that the sons of the poor man and the nobleman should be educated together; but we know that that is not what actually goes on in the different communities with which we are acquainted, and I think we must be content to take the 19th century as it is, and endeavour to develop our views of education in accordance with existing circumstances. At the same time, it seems to me that in regard to certain points we are practically unanimous, although I fear that in asking the House to sanction this Resolution we are practically putting the cart before the horse. We must catch our hare before we cook it, and at present we have no money to do what is proposed. If we had the means, then no doubt it would be right and fitting that such a Resolution as this should be brought forward. If there were a sufficient amount of money at their disposal, I am quite sure that no Government would be inclined to resist such a proposal, no matter from which side of the House it came. As it is, I should hope that my hon. Friends opposite will be satisfied with the discussion they have elicited; there is practically no opposition to the principle of the Motion, inasmuch as we are all of us anxious to benefit our country in every possible way, especially in regard to the secondary education given in our schools. It has been suggested that certain grants from the Excise, which are given to the County Councils, should be utilised for the purposes of education, but it is also felt that the ratepayers are quite as deserving of consideration as the educationalists. No doubt when Government are in a position to make the grants required for the purposes of this Motion, they will be desirous of meeting my hon. Friends opposite, if not in the exact manner they desire, at any rate in a way that will greatly assist the object they have so much in view.

(10.6.) Mr. SYDNEY BUXTON (Tower Hamlets, Poplar): I do not think any apology is needed for my interposition in this discussion, because these educational questions discussed by Scotch Members are of great interest to the English Members as well as to the English taxpayers. What Scotland does today in the education question England will do, not perhaps to-morrow, but at any rate the day after to-morrow. We hope that in these discussions we shall learn a good deal from the results of Scotch experience, and thus be enabled to improve our education in England. I am sorry that the Vice President of the

Council only looked in for a few minutes and then went away, because I think it would have been a liberal education to the right hon. Gentleman had he stayed to hear the speech of the hon. Gentleman the Member for Perth (Mr. C. Parker) and the Debate which has followed. In Scotland there have been very large advances in the matter of higher education, and I agree with my hon. Friend the Member for Lanark (Mr. Crawford) that if Her Majesty's Government are prepared to accept the principle of this Motion and ready to give a grant in favour of secondary education when they are enabled to do so, that will satisfy the reasonable views of the House. I fail to see how any Member of the Government or of the House can refuse to accept the principle that the time has arrived when State aid ought to be given to our secondary and higher schools. We have State aid for the elementary schools and State aid for our Universities, and why the intermediate stage of national education should be altogether neglected, I am totally unable to conceive, especially when we consider the very growing demand that exists throughout the Kingdom for improvment in our national education. We have of late years done much to place elementary education on a sounder and better basis, and we have a strong demand, not only for an increase in the age at which the children now leave school, but also for raising the standard of examination, for the abolition of the school fees, for the improvement of the examinations in the schools, and the enlargement of the general curriculum. It has been well said that we ought to have a ladder rising from the gutter to the Universities, and we have such a ladder planted at the present moment, but some of the rungs are unfortunately either missing or in an unsound condition. It is that part of the ladder which we ought to strengthen, because we are desirous of establishing a national system of education in order to enable the rising citizens of this country to compete with their foreign rivals. Anyone who has at all studied the competition which is taking place between ourselves and the great nations of France and Germany, will have perceived that while we have been neglecting the secondary system of education, those two commercial rivals have been doing more and more year by year to strengthen and increase that part of their national educational system. What we want is to give an opportunity to the children of the working classes, I will not say to work their way up in the social scale, but to acquire such an education that they will be the better able to compete with the keen rivalry which is going on abroad. My hon. Friend has taken objection to the proposal that some of the places in these secondary schools should be free in the grant, and has maintained that there ought to be no distinctions as between class and class. Although I agree with him on this point, I think that, at the same time, we must be content to move step by step; and we can hardly at the present moment expect the Government to accept all at once a system of free secondary education in addition to a free system of elementary education. What we should insist on as a principle is, that in regard to these secondary schools to be assisted by Government grants, the fees ought to be uniform, and that there should be no distinctions of class and class. But there might also be local contributions from which a certain number of free places might be obtained, together with a number of scholarships for the children of the elementary schools. The present system is full of anomalies, and has the effect of discouraging the system of secondary schools. It encourages, in fact, a sort of hybrid schools to compete with the real secondary schools. I agree with the hon. Member who has said that if you have a system of secondary schools with Government assistance, they ought not to be semi-elementary and semi-secondary, but a system wholly secondary kept in touch by means of free places with the elementary schools. I trust that the Government will accept the principle of State aid to secondary schools, so that before many years are over we may have a complete national system of education, reaching from our elementary schools to our Universities.

(10.16.) THE LORD ADVOCATE (Mr. J. P. B. ROBERTSON, Bute): Sir, the hon. Member has certainly adopted a reasonable and considerate time in bringing the subject forward. It is fortunate that there is no conflict of opinions upon it among any of the sections of the House. Indeed, in all quarters there has been a very full and direct recognition of the importance of secondary education, and of the need of the State adopting some practical means of advancing its interests. The Debate has also revealed one common ground, and that is that it is impossible to separate secondary education from its near relation to the general system of national education. It forms in itself a most attractive subject of disquisition and discussion, but it can only adequately and satisfactorily be treated when it is regarded as correlated with primary education on the one hand, and to a certain extent with the universities on the other. Viewed in that light it is not unimportant to observe how much may be and has been done in the furtherance of secondary education by the improvement of primary education. Undoubtedly useful secondary education can only be realised if you have a sound system of primary education, and I do not think there can be two opinions as to the efficacy and the earnestness of the means that have been adopted to improve the primary education of Scotland. Parliament has shown its anxiety on the subject by legislation in the past two years. In the technique of education also there have been changes, which have met with universal acceptance, and which have rendered more elastic the training schools, and afforded an encouragement and stimulant to the energies of teachers which formerly were entirely wanting. The latest development in reference to that part of the subject is to be found in the change, recently suggested, in the certificates given to pupils in primary schools. I have no doubt that will have the effect of rendering more solid and satisfactory the connection which ought to exist between the primary and secondary schools. My point is, that we must, in the first place, ensure solid primary education as conducting to secondary education; and we must also ensure a due relation between the primary and secondary schools. I am very far from saying that these indirect methods of advancing secondary education are all that are available at present. On the contrary we have, at all events, two methods of encouraging secondary teaching, which are appropriated by two different sets of societies in Scotland. The House will remember that there have been special grants to schools which, owing to their isolated geographical position, stand in disadvantageous circumstances. A grant has been given, in order to add to the staff of the schools in remote districts where they were unable to give higher education without disparagement to the primary work. I think something has been already done in the way of improving the organization of the existing secondary schools, following the lines which the hon. Member for Perth approves. There is a system of State inspection, and it is satisfactory to know that that has not been imposed on reluctant schools; on the contrary, it has been welcomed by those who desire the attestations and the imprimatur which inspection gives. There is also a certificate which performs an exceedingly useful and somewhat novel function in education. These are steps in the direction of the improvements which the hon. Member suggests. On the question of State aid, it is fortunately unnecessary that I should exercise more than the due amount of reserve. I confess I have little to add to what my predecessors have said on the subject. It is at all events a matter, I will not say certain, but, at all events, in immediate prospect, that further money may be available for education in Scotland. The event is not distant in which more means may be at the disposal of the Government and Parliament to enter upon a well considered measure of secondary education; and I am not transcending the language of this Bench during the last Session of Parliament when I make this statement. It may be satisfactory to hon. Members that I should repeat and emphasise the statements made by those who have preceded me here. The House, however, must consider that prospect with that due amount of caution and reserve which must be shown by those who do not know at present the exact amount of money. It is on grounds of that kind that I think the hon. Member for Perth, as a man of good sense, will see that it is impossible for the Government to accept his Motion. I am certain that the House will accept the declaration, which I have less made than repeated as representing the Government, and that it will not be at all appropriate to press a Motion of this kind to a Division. The subject is one upon which there is general agreement —that is to say, that public money may well be spent upon secondary education, and some effective means may be adopted for carrying out that general desire. On the other hand, the best mode of applying the money must be determined with reference to the amount available; and it is also a subject on which the most mature consideration is not thrown away. I want to add another word, which I hope will be accepted with the frankness with which it is spoken. We have not abstained from coming to close quarters with this question. We have had the subject under direct and anxious consideration; and plans are under the consideration of the Government, from which in due time we shall be able to make a selection. We have been anxious to utilise the time available between the earlier period when this money came to be a matter of prospect and the time when we would have to deal effectively and decisively with the question. The Government has invited and received suggestions, and I am not rash in saying that when the proper time comes we shall be able to bring forward plans which, at all events, are definite and intelligible. I hope the Government will accept the view which I have stated; it is one which is not characterised by inertness or indecision. The problem is one which requires to be looked at from several points of view. How are we going to do it, and upon what principle? We have three classes of schools teaching secondary education in Scotland. We have public schools, endowed schools, and voluntary schools, each of which require separate consideration and treatment, and in each case there is an equity which must be carefully attended to. There is another main objection which the House would desire to have carefully in view. It is most desirable that we should not make the giving of public money the means of losing instead of conserving other resources which are at present applied to secondary education. Probably, unless the matter is very carefully attended to, and with a nice appreciation of the risks to be run, the grant of public money to secondary schools might tend to the subtraction from the aggregate resources of schools, taken as a whole, by dissipating contributions which at present are willingly rendered, and which might less readily come in if the grants were to be indiscriminate. That is a subject which will require very full development. I am suggesting rather than stating the difficulties, and I do this for the purpose of assuring the House that the subject is under the anxious consideration of the Government, in order that they may make no loss to the cause we all have at heart—that is to add to, instead of diminish or impair, the resources of secondary education throughout the country. I do not doubt, when the time comes, Parliament will be able to accomplish the objects we have in view. There are, as I take it, two main objects which have to be attended to in regard to these secondary schools. One is to increase the general efficiency of secondary education throughout the country. The contribution of the State ought to be so given as to raise the standard and increase the efficiency of the teaching given to all pupils who attend school. Then there is another object which is dear to the hearts of those interested in the subject, and that is that children, whose parents are not in a position to send them to the secondary schools, but who have the qualities and inclination which would enable them to profit by that education, should have the opportunity of going there. Those are two subjects which, when considered closely, are entirely separate in this sense, that we may attain the one and not the other, and the great thing is to accomplish both. The hon. Member for North-East Lanarkshire, in his very valuable contribution to the Debate, has referred to the area and management of those schools. That is one of the particulars of the scheme which requires attention. I do not need to remind the hon. Member of the exceeding difficulty of introducing the kind of management he suggests, inasmuch as it will to a certain extent involve a dislocation of the present administration of public money and local administration. I do not pronounce at all emphatically upon the part of the Government upon that subject. That is a subject upon which it is necessary to exercise an amount of reserve. I hope I have made it manifest if I say, as I now do, that the Government cannot accept the Resolution, that I do so in no spirit of antagonism to the general object the hon. Member has in view, or to the general principles which have found acceptance among hon. Members.

(10.35.) MR. W. A. HUNTER (Aberdeen, N.): I am certain the statement made will be received by Scottish Members with the greatest satisfaction, because the main interest attaching to the Motion was connected with the grant which we hope will come to Scotland shortly. I believe the almost universal feeling in Scotland is that any money we may get for educational purposes shall be first applied in aid of secondary education. I think the hon. Member may rest satisfied with the position in which the question has been left by the right hon. Gentleman. In dealing with this question of intermediate or secondary education, I hope the Government will do so in a bold, thorough and liberal spirit. The bolder and more ambitious the scheme, the more satisfaction it will give in Scotland. I may also remind the Chancellor of the Exchequer that the funds of the Universities of Scotland are far short of what is required for the development of modern science. I hope that this requirement will be kept in mind, and that the Government will not hesitate to move a very considerable increase in the grant to the Scotch Universities.

(10.37.) MR. BRYCE (Aberdeen, S.): I do not think that Members in any part of the House who are interested in this question will find anything to complain of in the tone or terms used by the Lord Advocate. He has shown he is aware of the great interest Scottish Members take in this question, and has assured us that the Government are desirous of meeting our views. He sees no difficulty in accepting the proposition that secondary education is a proper matter for Government aid; the only question is whether the hon. Member for Perth, to whom we are much indebted for having brought on this opportune and valuable Debate, shall rest satisfied with what has been said, or whether he desires to have put upon the Journals of the House the assertion that this is a proper matter for Government aid. I hope, when the fund becomes available, secondary education will be one of the first objects which will attract the Government's attention. I do not suppose the Government would object to the Motion if it were modified so as to convey very little more than the Lord Advocate himself has said. The right hon. Gentleman has said that this is a matter not free from difficulty. While sympathising with the Motion, I find difficulty in adopting its details. It is not the case that all over Scotland secondary education is defective. It is not so in large towns like Edinburgh, Glasgow, Dundee, and Aberdeen. In the larger cities there are some very efficient elementary schools; but it is in the smaller burghs where it is defective, the Grammar Schools in some of them being in a very unsatisfactory condition. In the rural districts, also, the new education system has changed and lowered the character of the parish schools. The superior element has been withdrawn from them, and therefore we have not only to revivify and improve secondary education in the smaller towns, but, in the rural districts, to bring back the parish schools to the position which they held 50 years ago, and, in many of them, to introduce what may be called a secondary department. We want in Scotland that the rural schools shall be able in the future, as in the past, to send pupils direct to the Universities. When I was a student at Glasgow University there were in the classes many young men who worked at their trades during the long Summer vacation, and were yet among the leading students. They had had no education but that of the parish school. As to the propositions of my hon. Friend the Member for Perth, I must say they seem to me to go a little beyond the evidence which he has adduced on behalf of them. I understand my hon. Friend to mean by a Government grant a grant awarded in something like the same way in which Government grants are awarded now to elementary schools, except that he desires it to be on the principle of general efficiency, and not of payment by results. I understand that he does not propose there shall be anything like payment by results in the case of individual scholars. I am not sure we are prepared at once, on the first blush of the matter, to go quite so far in putting our secondary education under the control of the Government. I quite admit that the system of leaving certificates, which the Scottish Education Department introduced, has so far worked very well, and that the secondary schoolmasters themselves seem to be prepared to admit somewhat more interference on the part of the State Authority, provided it is accompanied by a grant. We know, however, that State interference has a habit of growing, and there are examples in other countries in which the principle of State interference has been carried so far that it has tended to produce rather dreary monotony and uniformity. I think we ought to pause before entering on the course which my hon. Friend seems to recommend. It is quite true we cannot expect the State to give money except upon the condition of having some guarantee that efficiency is maintained; but I hope that when consideration is given to the matter, the Government, while recognising the right to be satisfied that the schools maintain their proper standard, will contrive to associate some independent element with them, and will not put them under Government control, in the same sense in which the elementary school now is. I hope also the Government will bear in mind, in considering this question, that it is not simply a question of extending education or of cheapening it. It is more a question of improving the quality of education. On the whole, we have in Scotland now an adequate provision of school accommodation, and if we have not an adequate staff it is, after all, not so much in the matter of numbers as in the high qualities of education that improvement is needed. Under the present system there has, perhaps, been some decline in the quality of the school teachers, and I believe that now there is not so large a proportion of teachers in elementary schools who have been through a University course. I hope, therefore, that in the plans which the Government are framing, a very important part will be allotted to improving the position and education of the schoolmaster—to seeing that not only his special training, but his general education will be well cared for and secured. As to the question of free places, I should be a little unwilling to assent to the proposition that free places must necessarily be given by competition. I believe that the result of experiments, particularly in London, as regards the carrying out of the instruction of the better boys in secondary schools, has not so far borne quite as good fruit as we expected from them. I do not do more, however, than throw out such a question for the consideration of the Government. At present, in our elementary schools, even in London, where teachers are perhaps above the average, the system is somewhat mechanical. Looking at the fact as it stands now, it is rash to conclude that the best way in which we can provide a ladder from the poorer to the higher class of education is by the application of the competitive system. I think we shall all feel that this Debate has had a valuable result in the way of preparing us for the scheme which is to be put forward at a later period. I hope the Government will bear in mind there is an absolute consensus of opinion among Scottish Members as to the need of applying money to the aid of secondary education, and there is also an equally general desire that this shall be done in a broad and liberal spirit, and that we should feel that the old connection between the elementary schools and the University, which has been the honour of Scotland, now requires nothing more than the fuller and better development of secondary schools to make it complete, and in order to give to Scottish education that one touch of perfectness which is all that is required.

(10.54.) SIR G. CAMPBELL (Kirkcaldy, &c.): I wish to express my satisfaction that the Member for Perth has brought this subject before the House. I think Scotland, as compared with other countries, is deficient in the matter of secondary education. We have good primary education, and we believe we have a good University education. In some of the larger towns we have efficient secondary schools; but it is undoubtedly the fact that throughout Scotland there are few of the secondary schools on what may be termed a satisfactory foundation. In the burgh which I represent there is, according to the limited means at its disposal, a tolerably efficient Grammar School, but it is not such a school as such an important place ought to have. I think it is an entirely reasonable demand that some assistance should be given by the Government, and I am very glad to hear we have a reasonable hope of soon obtaining it. I confess I was a little disappointed with my hon. Friend the Member for Aberdeen, as to a certain extent he threw a little cold water on some of the views of my hon. Friend the Member for Perth. In my opinion, it is rather dangerous to put too much secondary education into the primary schools. It is apt to take away the energy of the teachers from the proper function of teaching primary education. I am inclined to think that good secondary education is so little developed among the ordinary schoolmasters, that if we give secondary education in the primary schools we shall be apt to get old-fashioned dominie education instead of the more modern education which is required for the industrial and commercial interests of the country. No doubt it is the case that in special places in the Highlands it is desirable to select centres where schools shall give secondary education; but I am inclined to think that instead of two grades of education we should have three, and should confine our primary schools to a thorough and good primary education, and have a system of secondary schools at considerable centres. The Member for Aberdeen is jealous of too much interference which might follow Government grants. I confess there might be too much of that interference; but, on the other hand, we may have too little of it, especially with the condition of things existing in this country. There is nobody so Conservative as are schoolmasters, and at the great public schools in this country there is a great deal too much in their hands, and the schools are managed too much for their benefit. Now, desiring to improve the character of secondary education as we do, I am not at all jealous of a good deal of Government interference in the Department referred to. I am entirely of the view of the hon. Member for Perth, that it is desirable we should have Government assistance, and that that Government assistance should be accompanied by inspection and direction, so that we may reform and improve the character of our secondary education.

*(10.59.) MR. C. S. PARKER: I only wish to say with regard to the Lord Advocate's speech that I fully admit its satisfactory tone. I can congratulate the right hon. Gentleman on the almost revolutionary change which was made in the Code last year. I admit that the system of inspection which has been organised for higher schools is welcome to those who have it, and envied by those who have it not. As regards prospects of further progress, I think this Debate has been valuable. I agree with the remarks made from two sources, that it might be well to distribute grants through County Authorities instead of directly from the State. I should be willing to revise the terms of the Motion, but perhaps the better course would be to ask leave to withdraw it, and leave the matter in the hands of the Department. My hon. Friend the Member for Kirkcaldy has referred to the unsatisfactory state of secondary schools in some of the smaller burghs. I trust the Government will turn their attention to such schools, and that they will also give consideration to the very important question of the establishment of continuation schools both in town and country.

Motion, by leave, withdrawn.

RAILWAY SERVANTS (HOURS OF LABOUR).

(11.1.) The following Notice stood in the name of Sir M. Hicks Beach:—

"That, having regard to the fact that the employment of Railway Servants for excessive hours is a source of danger both to the men themselves and to the travelling public, a Select Committee be appointed to inquire whether, and, if so, in what way, the hours worked by Railway Servants should be restricted by legislation."

*MR. SPEAKER: I wish to point out to the right hon. Gentleman that the

Motion for the appointment of a Select Committee is preceded by a preface which is in the nature of a separate Resolution, and does not come within the order of Reference. The more proper and ordinary course would be for him to move that a Select Committee be appointed. What the terms of Reference should be it will be for the House to judge.

*THE PRESIDENT OF THE BOARD OF TRADE (Sir M. HICKS BEACH, Bristol, W.): I beg to move the Motion in that form.

Motion made, and Question proposed,

"That a Select Committee be appointed to inquire whether, and, if so, in what way, the hours worked by Railway Servants should be restricted by legislation."—(*Sir M. Hicks Beach.*)

*(11.2.) MR. J. E. ELLIS (Nottingham, Rushcliffe): It appears to me that the Amendment of which I have given notice falls to the ground, in consequence of the alteration in the form of the notice of the right hon. Gentleman.

*MR. SPEAKER: I understand the hon. Gentleman intended that the words he has placed on the Paper should come after the first word "hours." There is no reason why they should not come after the second "hours."

*MR. J. E. ELLIS: I have to thank you, Sir, for that suggestion. Perhaps I may be permitted to explain why I desired to move my Amendment. I regret that the preparatory part of the right hon. Gentleman's notice has disappeared, because that preparatory part contains the word "excessive," which really is the whole point of the Resolution. I think we must read the appointment of this Committee in the light of the discussion which took place on the 23rd of January. On that day the feeling on both sides of the House was such that a very unusual step was taken by the Government. The President of the Board of Trade suggested that the hon. Member for Northamptonshire (Mr. Channing) should withdraw his Resolution, and that he (Sir M. Hicks Beach) should substitute for it a very strong declaration on the part of the Government, and propose a Select Committee. I will not dwell upon the policy of appointing a Select Committee, further than to say that

I by no means see its necessity. The Board of Trade, in my opinion, are in possession of ample information in the shape of Returns from the companies and Reports from their own Inspectors; and I cannot understand why they do not at once proceed to take action. However, the President of the Board of Trade proposes a Select Committee, and I am not here to oppose its appointment, but I submit that the Committee ought to be founded upon, and guided by, the very strong declarations which fell from the right hon. Gentleman in his speech on the 23rd of January. Let me recall some of the right hon. Gentleman's statements, because they are extremely important, falling as they do from the Member of the Government who represents the relations of the State to the railways. The right hon. Gentleman said—

> "I am bound to admit that in my opinion the Reports of the Inspectors of the Board of Trade show that the safety of the officials and of the travelling public is affected by excessive overtime worked. In the years 1889 and 1890 there were 122 inquiries into railway accidents by Inspectors of the Board of Trade. In 14 of these cases the accident was found to have been more or less due to excessive hours of work on the part of railway servants, principally of drivers and firemen, and 24 separate instances of overtime were given in these cases."

And then the right hon. Gentleman went on to say—

> "But the question is whether these Returns do or do not prove excessive overtime, extending far beyond any necessity of this kind, and I am bound to say that in my judgment they do; and more, that they show that there is more overtime on some lines than can be required by any difference between the circumstances of their traffic and the circumstances of other lines with less overtime."

The right hon. Gentleman, from his gestures and voice, still stands to his declarations, and, therefore, we have it that, in moving for this Committee, he believes that a case has been made out of excessive overtime. My object in proposing this Amendment is to prevent what sometimes happens on Select Committees, namely, that when a Committee sits upstairs those interested who do not take the view that a case has been made out at once proceed to call evidence at more or less wearisome length, and claim that the case has still to be proved. The other night the right hon. Gentleman the First Commissioner of Works came down to the House with a pile of papers, and argued that there was no excessive overtime. That kind of thing should not be permitted on this Committee; but the Committee should act on the assumption that excessive overtime has been proved, and proceed at once to apply a remedy. I beg to move the Amendment which stands in my name.

Amendment proposed, after the word "hours," to insert the words—

> "As disclosed in the Returns from the Railway Companies, and the Reports from Inspectors of the Board of Trade."—(*Mr. John Ellis.*)

Question proposed, "That those words be there inserted."

*(11.13.) SIR M. HICKS BEACH: I think hon. Members will admit that in this matter I have been fair and straightforward, and have endeavoured to carry out to the letter the promise I made to the House. You, Sir, have ruled that the first sentence in my Resolution is out of order. Of course, I do not for a moment question your ruling. I adhere absolutely to the words which the hon. Member has quoted from my speech on the Resolution of the hon. Member for Northamptonshire, and I can assure the House that I will be no party, if it should be my lot, as I suppose it will, to serve on this Committee, to an attempt to delay the proceedings by an inquiry into matters which I consider to have been proved. I hope that with that statement the hon. Member will be content, because I would point out to him that owing to the alteration of the Resolution the insertion of the words he has moved would rather weaken the powers of the Committee than otherwise. It would not at all carry out what he intended when he gave his notice. I entirely abide by the words I used the other evening, as to the excessive hours worked by railway servants.

(11.14.) MR. CHANNING (Northamptonshire, E.): As the Motion out of which the proposition for the appointment of a Select Committee springs was in my name, I may be permitted to make one or two remarks upon the present position of the question. I cordially accept what the right hon. Gentleman has just said as to the manner in which he approaches this Committee, but I must say I think we require a little more. I believe that those interested in this question will only be satisfied if they hear from the right hon. Gentleman a distinct indication that if the Committee reports, as I hope it may do, and without any undue delay, in favour of some legislation in the matter, the right hon. Gentleman will take the necessary steps to carry such legislation in the course of the present Session. I do not know whether we are to understand the President of the Board of Trade as assenting to that proposition; but if there is no assurance we shall continue, in spite of the goodwill expressed by the right hon. Gentleman, to regard the appointment of a Select Committee at all with a certain amount of suspicion. I must say I regret there has been any necessity in the view of Her Majesty's Government for the appointment of a Select Committee. I should very much prefer to see legislation entered upon at once. We have it acknowledged in the speech of the President of the Board of Trade, we see the evidence in the Returns placed before the House, that these men have been grossly overworked; we have this further acknowledged in the repeated representations and recommendations of Board of Trade officials, who have urged the desirability of a reduction of the hours of duty for railway servants. I really think that, just as two years ago the continual accidents showed the necessity for the adoption of a certain brake on railways, so the Scotch strike might have brought the Board of Trade to its senses and have shown the necessity of action in regard to hours of service. I hope inquiry will be confined to really practical evidence bearing on the method of carrying out the positive pledge that something shall be done to meet these excessive hours of work and to put an end to them. There should be no undue delay in the proceedings of the Committee. Further, I must press most strongly upon the right hon. Gentleman the absolute duty which lies upon him, in case the Committee report in favour of doing something to end this state of things, which according to the Returns has continued for six years past, that he will take such steps as are possible for legislation this Session.

*(11.19.) Mr. SALT (Stafford): I hope the inquiry will, at any rate, be a thorough one. I do not see any reason why it need be an inquiry of any great length; a week or two, I might say, would be sufficient time to put before the Committee the necessary and particular facts of the case. There is one point which I think has not been quite grasped. It is not the interest or desire of any well-managed Railway Company that there should be any overtime when it can be avoided. Overtime arises very much from the necessities and peculiarities of certain kinds of traffic, and that is one question which might be fairly considered by the Committee. Another remarkable part of the question is that in the great majority of cases overtime is by no means disagreeable to the men themselves. I have many friends among the men working on railways, and I know that some of them have complained that they have not been allowed to work overtime. That is a point upon which the Committee may make careful inquiry, and if in the result it is shown that the companies should be restrained from employing overtime work under some sort of penalty, it will also be necessary to establish some sort of penalty to prevent the men from engaging in overwork. I am very anxious the Committee should enter on its investigation, not on behalf of the Railway Companies, but in order that the wishes and wants of the men may be ascertained; that what is fair to the men should be ensured by legislation, and that any fear of danger to the public from lengthened hours of railway service should be removed. All that is necessary is a fair and impartial inquiry into matters extremely difficult, and in regard to circumstances having many peculiarities and varieties.

*(11.22.) Mr. BROADHURST (Nottingham, W.): If my hon. Friend (Mr. J. Ellis) had decided to proceed with his Amendment I should have suggested the addition of the words "and from other sources," and I think the President of the Board of Trade will admit there are other sources, in addition to the Inspectors' Department and the official Returns, from which the Com-

mittee might derive valuable imformation and assistance. But my hon. Friend does not intend to move his Amendment. I understand he rests satisfied with the very emphatic assurance given him by the right hon. Gentleman that he intends this to be a thorough and exhaustive inquiry, and that no time shall be lost before the Committee enters upon its proceedings. It think it will be generally regretted in the House that there is no Representative of railway workmen in the House who could take his place on the Committee, where his knowledge would be of the greatest assistance; such a man as Mr. Tait or Mr. Harford, for instance. Mr. Tait is a distinguished law-abiding citizen, and, had he a place here among us, would be an ornament to the House of Commons, and would greatly assist our deliberations. This I say without fear of contradiction. Under the circumstances, we may trust the assurances of the President of the Board of Trade, and I hope he will do his utmost to secure that the railway servants will have early and ample opportunity of representing their views to the Committee.

*(11.25.) MR. M'LAREN (Cheshire, Crewe): I should like to ask the right hon. Gentleman whether the terms of Reference would allow the Committee to consider other, and what I may call indirect, ways of checking overtime, as well as the direct way of legislation, or passing an Act to prevent it. I know a great many railway servants strongly hold, as I incline to do myself, that the best method of checking overtime is to make each day stand by itself as a matter of work and payment, not computing each week as 60 or 72 hours' work, and reckoning the overplus as overtime. Let each day stand by itself, and the time over 10 or 12 hours be paid for as overtime at the rate, say, of time and a half, not setting the hours, long or short, against each other over the week. I am not going to argue the question whether this is the best way of treating overtime, but I should like to know whether it will be possible to deal with a suggestion of that kind?

*SIR M. HICKS BEACH: Certainly.

*MR. M'LAREN: That satisfies me entirely. I thought it would be so, but was not clear on the point. I am extremely glad the Committee is to be appointed, and was quite prepared to adopt the proposal when it was made during the Debate the other night. As the right hon. Gentleman has not made up his mind as to the best form of legislation on the subject, it is desirable we should have a Committee to take evidence from railway servants and experts, and I believe the inquiry will result in valuable recommendations. I think it is reasonable to ask that there should be legislation this Session on the lines of the Report of the Committee; for if the Committee should disagree, or should the Government disregard the findings of the Committee, I fear we shall be little better off, for we have no chance of dealing with the subject this year without the assistance of the Government. However, I cordially welcome the prospect of an inquiry.

(11.28.) MR. MUNRO FERGUSON (Leith, &c.): I cannot join altogether in the satisfaction expressed at the proposal to appoint a Committee, but I rather join in the protest against the appointment of a Committee at all. The case for some restriction of the excessive hours of overtime was clearly made out in the Debate last week; it was supported by evidence in the hands of the Board of Trade, and I cannot see what useful purpose a Committee is to serve. The result, judging from some of the speeches we have heard from the other side of the House, will be that the Committee will present a divided Report. Some hon. Members who spoke during the Debate certainly gave no indication of supporting a proposal under which there would be Government intervention in the question of railway hours of labour, while other hon. Gentlemen on this side are pledged in favour of interference, so the result may be expected of a divided Report, and that may be regarded as a means of shelving the question. The experience we have had in Scotland lately shows that whatever may be the experience of the hon. Gentleman opposite (Mr. Salt) in regard to the sentiments of railway men as to overtime, those views are not shared by the railway men in Scotland. A case is clearly made out for Government intervention, and the right hon. Gentleman (Sir Michael Hicks Beach) has expressed himself in favour of such intervention. In his speech at Kilmarnock he warned the Railway Associations that the number of railway accidents due to overwork might necessitate the framing of regulations by the Board of Trade to ensure the safety of the travelling public. I protest against referring this subject to a Committee—a proceeding which will probably end in shelving the question for another Session.

*(11.30.) Sir CHARLES DALRYMPLE (Ipswich): It is unfortunate that hon. Members should attempt to disparage the work of the Committee before that Committee is appointed. All along, with few exceptions, an endeavour has been made on the other side of the House to throw doubt on our sincerity on this side in this matter, and to make out that they alone have the interests of the men at heart. In truth, the charge of insincerity has no foundation whatever, and if anything were wanted to show how baseless is the suggestion, it would be the line adopted by the President of the Board of Trade himself in Scotland last autumn, and long before the Motion of the hon. Member for Northampton was heard of, when the right hon. Gentleman, in the most impressive and solemn manner, warned Railway Companies of the responsibility they were incurring in this matter, and that if steps were not taken to remedy the evils it might be necessary to proceed to legislation. That ought to be a sufficient answer to the suggestions of insincerity. I quite understand the position of the hon. Member (Mr. Channing), who brought forward his Motion on January 23, and it is quite natural he should wish to press his efforts to a conclusion; but it is unfortunate that since January 23 he should have written to Scotland pointing out the value of his suggestion as compared with the very small value of the Government proposition. It is very well for the hon. Member for Leith to say that the Board of Trade is fully possessed of knowledge on these matters, but that is a matter for the Board itself to decide. Surely the Department ought itself to be allowed to judge whether or not it has sufficient information, and whether or not the appointment of a Committee is the best means of acquiring further knowledge on the subject. The President of the Board of Trade certainly cannot be charged with indifference in this matter. I believe not only that good will come of the proposed inquiry, but that it is quite possible the result will be legislation during the present Session.

(11.34.) Mr. MORTON (Peterborough): Probably we on this side of the House are more interested in the masses of the people than hon. Gentlemen opposite, and therefore more anxious to see this matter settled. But I make no charges of indifference or insincerity, and least of all do I make such a charge against the President of the Board of Trade. I quite agree that it would be better for Parliament to proceed at once to find a remedy, especially as the right hon. Gentleman admits there is a grievance; but the inquiry is for the purpose of finding out the remedy, not for deciding if there is a grievance, and I accept the proposal for a Committee as the best thing we can get, and probably it will result in something being done another year. I have a proposal in the nature of a Motion, which I presume will not be affected by the appointment of a Committee, but I am satisfied that we could, if the Government chose, at once proceed to consider what by legislation ought to be done to settle these disputes before they come to strikes and damage to the interests of the entire community. As I am a Representative of a constituency in which there are a large number of railway men, I may express a hope that the men will have the fullest opportunity of being heard before the Committee. If the grievance of the men is not fully presented, it will be impossible to find a remedy that will satisfy them, and I particularly urge this point.

(11.36.) MR. J. ROWLANDS (Finsbury, E.): I do not think that in a discussion of the terms of Reference for this Committee, charges of insincerity should be exchanged. It is our duty to define as clearly as we can the position the Committee is to take up. But I particularly wish to refer to a point alluded to by the hon. Member for Stafford (Mr. Salt). He said he found a great number of men were in favour of overtime, and that may well be. But the reason is, that the ordinary wages are so low that men find it necessary to work long hours to augment their ordinary remuneration. I am confident that if the Committee does not inquire specially into this question of overtime, its labours will be worthless so far as railway men are concerned. Before all things, when we come to the question of hours of labour, the question of overtime must be considered, and unless some strong impediment is put in the way of overtime you will not reduce the hours of labour, and the Committee will not attain the object for which it is appointed. I hope that the right hon. Gentleman will not rely on any other methods of checking overtime, but will take into consideration the best means of suppressing it. We have had an illustration as to what can be done by the result achieved on a railway line south of the Thames. At a meeting of the shareholders last week the Chairman showed how the Directors had voluntarily, in the interest of their men, brought about the result we desire to attain by this Committee. If other Directors would act in the same spirit there would be no need for a Committee, but this instance demonstrates the possibility of doing that we desire to see carried out.

(11.40.) MR. BRUNNER (Cheshire, Northwich): In my view the scope of the Reference is too limited, and it seems to me we might have made this an opportunity for obtaining information as to the relations between employers and employed in all cases where the two interests work together for the public in a direct fashion. We have had in times gone by troubles between employers and employed in the matter of gas supply, and we may look forward to possible troubles in relation to Electric Light Companies; we have also had disputes between Tramway Companies and their servants. Disputes in these various departments of labour concern the whole community, and the real justification for this Committee is the public safety, and it might well be that in the mind of Parliament the public convenience is an equally good justification. Therefore, I regret that this opportunity should be lost for obtaining a sound and well-considered opinion from the House on this matter, and I trust that before long the wisdom of Parliament may be turned in this direction.

*(11.41.) MR. J. E. ELLIS: Having regard to the satisfactory assurances given by the right hon. Gentleman, I do not propose to trouble the House with a Division.

(11.41.) MR. CONYBEARE (Cornwall, Camborne): I did not take any part in the discussion on January 23, but I take this opportunity of pointing out what appears to me to be the essence of the objection taken on this side of the House to the terms of the Motion. It appears to me the Motion is a little illogical, because it commences with reciting the fact that the employment of railway servants for excessive hours is a source of danger both to the men themselves and to the travelling public, and that, indeed, has been established by the Returns presented to the House, and, therefore, it may be taken as indubitable that such excessive hours are a source of danger; but then the Motion goes on to propose that a Select Committee be appointed to inquire whether the hours should be restricted by legislation.

*MR. SPEAKER: Order, order! I must remind the hon. Gentleman that the Preface to the Motion has been struck out.

MR. CONYBEARE: I apologise for my error, Sir. I was not present during the earlier part of the discussion. Another point I wish to mention has reference to what has been urged by my hon. Friend—that a proper amount of evidence shall be taken from the men themselves. I make no doubt the right hon. Gentleman will ensure that this is done, but may I ask, in addition, that he will guarantee that the men who give evidence, possibly against their own Directors, shall be protected from the consequences of their action? It is exceedingly difficult to get men whose livelihood depends on the will of their employers to give evidence that may tell against the action of their employers, without being satisfied that they will not suffer in consequence. We know the insidious methods sometimes used by employers to get rid of men who have had the boldness to stand up for their rights, and I hope this matter will not be overlooked. In my opinion, a strong case has been made out for immediate action, and it is a pity that time should be wasted on an inquiry by Committee, and I hope that legislative action on the Report of the Committee may not be thrown over for another year.

Amendment, by leave, withdrawn.

Main Question put, and agreed to.

Ordered—

"That a Select Committee be appointed to inquire whether, and, if so, in what way, the hours worked by Railway Servants should be restricted by legislation."

RELIEF OF DISTRESS (IRELAND) ACT ADMINISTRATION.

(11.45.) COLONEL NOLAN (Galway, N.): I desire to call attention—and I will do so very briefly at this hour—to the inadequate manner in which the Relief of Distress Act is administered. The Government have undertaken a great responsibility by this Act, and very properly they have undertaken it; but they are now acting in a manner—hanging up the Act and not working it—that will really intensify the distress very much, and put the people in a worse position than they would be in if the Act had not been passed at all, and that for many reasons. The people now will be relying on the operation of the Act, and but for the Act there might be more assistance from private sources and from America. It is true that in isolated instances, and chiefly on the sea coast, the Act has been put into operation, and I do not say that the Government have not used it in the most distressed districts. But the House will be aware, from an answer given by the Chief Secretary, that in the greater part of Galway and Mayo the potato crop has failed to the extent of a half or two-thirds, but no relief works have been started in these districts. What I know to be true of Galway and Mayo I believe is also true of Donegal, Kerry, Clare, and other counties. All I ask the Government to do is to immediately put the Act in force to a moderate extent, which they can do at a trifling expense. They have already fixed the rate of wages, and the rate is so low that only dire necessity will induce anybody to apply for the work. Consider what it means, that in August the people had only half or a third of the expected yield of potatoes. By this time, in most instances, the stock must be exhausted, and the consequence is that upon the Chief Secretary's own showing the people are without food, and such, I believe, is really the state of the case. It may be said the people should come under the Poor Law. But they are a class of people whom it is very difficult to relieve by the ordinary Poor Law administration. The Poor Law Guardians will relieve the old and destitute; but the people who are suffering now are just above that class. In many instances they have a pig, a calf, a few sheep perhaps, or a horse and cart, and eke out a livelihood by cartage, and the Guardians cannot relieve them unless, first, the people have parted with their property. What the people want is a small amount of work to relieve them at once, and I would urge the Government at once to start relief works on a moderate scale.

In the West of Ireland, not only on the sea coast, but elsewhere, and more especially in Galway and Mayo, a few weeks' work until seed time would do an immense amount of good. The Government have the power; they have assumed great responsibility, and I hope they will take into consideration the extreme necessity, and put the Act into immediate operation.

Motion made, and Question proposed,

"That the Relief of Distress Act should at once be put in operation over a larger area."—(*Colonel Nolan.*)

*(11.49.) Mr. KNOX (Cavan, W.): I will only detain the House for a moment or two in seconding the Motion. There is a certain amount of unfairness in the distribution of relief, and among my own constituents there is a strong feeling that because they did not make a poor mouth about it soon enough they are entirely neglected. It is true Inspectors were sent to different parts of Ireland, and an Inspector was sent to Cavan. He put up at an hotel and enjoyed himself; he drove over the country with one of the Relieving Officers; but he did not consult a single Guardian of the Poor, *ex officio* or elected. I was present at a full meeting of Guardians called to consider the subject, and each one of them complained that he had not been consulted by the Inspector. These Inspectors come down and spend a few days in a place; they do not consult the clergy, or those who know the condition of the people; they do not consult the Guardians, and then, I suppose, they go back to Dublin Castle and report that there is no distress in the district. That is the sort of exclusive information in the possession of the Chief Secretary. The people of the district, who alone have knowledge as to whether there is distress or not, are not consulted. Guardians have since made representations stating that they can point out many families in great want, and that they are ready to point out these families, and prove the existence of distress to the satisfaction of the Inspector if the Inspector will come down again; but though a month has elapsed no Inspector has been sent down, and nothing whatever has been done to inquire into the existence of the distress, or means taken to relieve it. I do not want to embarrass the Government, whose task in this matter is difficult; but I do think it is their duty to do what they can to find out how much distress exists in other places besides the immediate neighbourhood of the Western seaboard.

*(11.54.) Sir J. COLOMB (Tower Hamlets, Bow, &c.): Speaking from personal knowledge of certain portions of Ireland, I disagree absolutely and entirely from what has fallen from the previous speakers. It would be disastrous, in my opinion, were the Government to put this Relief Act into operation over a larger area than that which the Official Inspector has determined is the proper area wherein relief should be applied. Speaking of a remote part of the West of Ireland with which I am acquainted, I am thankful that such measures have been taken as the Government have adopted not with the advice of those gentlemen always ready to err on the side of too much liberality, but by measures adapted to the justice and necessities of the case.

*(11.55.) The ATTORNEY GENERAL for IRELAND (Mr. Madden, Dublin University): The time at my disposal is very limited; but even had I much more I do not think the House would expect or desire that I should now enter into any detailed statement upon the important subject which has been brought before the House in a moderate and temperate manner by the hon. and gallant Member. I will, shortly, remind him of the position of affairs. My right hon. Friend the Chief Secretary obtained some time ago a Vote for a nominal sum in respect of the works undertaken by the Government in Ireland for the relief of exceptional distress in certain districts. On that occasion my right hon. Friend stated the general character of the works to be undertaken by the Government, and his statement met with the approval of both sides of the House. It will be necessary, however, before the conclusion of the present financial year, to have that question again brought

before the House for the purpose of taking a Vote for a substantial sum; and it is the intention of the Chief Secretary to state on that occasion in detail the measures which are undertaken for the relief of distress in Ireland. Therefore, if I had more time than the Rules allow, I ought not now to anticipate any statement that will have to be made. I assure the House that all possible means are being adopted by my right hon. Friend to ascertain the precise necessity of the different districts in Ireland to which reference has been made. The hon. Member for Cavan has referred to the information before the Chief Secretary as exclusive, but I can assure him it is nothing of the kind. Every means has been taken to procure the best information through the medium of disinterested persons in a position to know the exact state of the facts.

It being midnight, the Debate stood adjourned.

Debate to be resumed to-morrow.

MOTION.

TOWNS IMPROVEMENT (IRELAND) BILL.

On Motion of Mr. Knox, Bill to amend the Law relating to the Improvement of Towns in Ireland, ordered to be brought in by Mr. Knox, Sir Thomas Esmonde, and Mr. Webb.

Bill presented, and read first time. [Bill 185.]

ORDERS OF THE DAY.

TITHE RENT-CHARGE RECOVERY BILL.—(No. 110.)

COMMITTEE.

Order for Committee read.

Mr. CONYBEARE (Cornwall, Camborne): I object.

*(12.4.) **The FIRST LORD of the TREASURY** (Mr. W. H. Smith, Strand, Westminster): I hope the hon. Gentleman will withdraw his objection. I am under an engagement if the Bill passes through all its stages this week that I will give Monday next for the discussion of the Vote of Censure of which the right hon. Member for Newcastle has given notice. Otherwise that cannot be done.

*(12.5.) **Mr. H. H. FOWLER** (Wolverhampton, E.): I hope the hon. Member will not press the objection. It was arranged that the Bill should pass through Committee on Monday, and so far as the Opposition is concerned that arrangement would have been carried out. It is necessary to get the Bill through Committee to-night in order that we may have the Report on Thursday.

***Mr. SPEAKER**: If there is anything further to be said it must be said with the Chairman of Committees in the Chair.

Bill considered in Committee.

(In the Committee.)

(12.6.) **Mr. CONYBEARE**: I do not wish to defer the Committee stage. I only objected because, on principle, I object to any Government business being taken after 12 o'clock. If hon. Members around me, who are more interested in the measure than I am, are not disposed to object to the course proposed by the Government, I will not stand in the way of the general feeling of the House.

(12.6.) **The CHAIRMAN**: The Manuscript Clause in the name of the hon. Member for Carnarvon cannot be moved, as a provision similar in principle has already been dealt with.

Mr. LLOYD-GEORGE (Carnarvon, &c.): I will move it on Report.

Bill reported.

*(12.7.) **Sir M. HICKS BEACH**: I should like to state that we propose to take the Report stage on Thursday. I understand that the reprinted Bill will be ready for distribution to-morrow. I will place on the Paper to-night the Amendments I propose to move on Report.

Bill, as amended, to be considered upon Thursday, and to be printed. [Bill 184.]

House adjourned at ten minutes after Twelve o'clock.

by Contract with H.M.'s Government. An Asterisk at the commencement of a Speech indicates revision by the Member.

HOUSE OF COMMONS,

Wednesday, 4th February, 1891.

NEW WRIT.

For Borough of Northampton, *v.* Charles Bradlaugh, Esquire, deceased.

BRITISH AND FOREIGN SPIRITS.

Ordered, That the Minutes of Evidence taken before the Select Committee on British and Foreign Spirits in Session 1890 be referred to the Select Committee on British and Foreign Spirits.—(*Sir Lyon Playfair.*)

ORDERS OF THE DAY.

RELIGIOUS DISABILITIES REMOVAL BILL.—(No. 4.)

SECOND READING.

Order for Second Reading read.

(12.25.) MR. W. E. GLADSTONE (Edinburgh, Mid Lothian): When it fell to me to undertake charge of a Bill for removing from the Statute Book of this country an anomaly, an injustice, and a discredit, I was in hopes that it would only be necessary for me to spend a few minutes in introducing the Bill to the notice of this House; but those hopes have been so far disappointed as to make it necessary for me, I fear, to trespass at somewhat greater length on your time. Murmurings and mutterings there have been in various quarters, as was to be expected. We have just seen presented Petitions which filled the arms and taxed the muscular strength and calibre of the hon. and gallant Member who presented them, and one of them appeared to me, Sir, to conceal within itself, under the appearance of a mere roller, what might, in fact, be a formidable weapon of offence. Not only have we these manifestations from quarters which are usually wakeful in these matters, and where everything in the nature of a disability, though it be the merest rag and merest shred, most wofully torn and tattered, to be found in the world, yet remains so dear to the inmost heart of that party that no opportunity can possibly be lost to testify on behalf of a principle so valuable; but there have been rumours even with respect to the intentions of Her Majesty's Government—I cannot tell whether they may be true or not. I know that the Chancellor of the Exchequer, in 1868, took part along with myself in pleading for the opening of the most difficult of these offices, and the one with respect to which the greatest objection was taken, and I doubt not he intends to pursue a similar course in the present Debate. He may not, however, be able to command the assistance of his colleagues, for the right hon. Gentleman now has upon his left one (Mr. Chaplin) whom I have always regarded as the prop and pillar of everything that deserved to be overthrown and removed. I am afraid I have shown ample cause why I cannot confine myself within the ten minutes I had contemplated as sufficient time for explaining the nature and character of the Bill; but I will endeavour not to be unreasonable in my demand on the time of the House, which I believe to be precious, and which I am anxious to treat in a spirit of perfect husbandry. The first point I have to mention—and which may appear to many Members of this House, and amongst others to those who have presented Petitions, as one of a very singular nature—is to this effect. I believe it to be in law seriously doubtful whether Roman Catholics are at this moment disabled from holding the offices of Lord Lieutenant of Ireland and Lord Chancellor of England. The argument, in the main, may be stated in a few moments. The Roman Catholic Relief Act, the 10 George IV., does not impose upon Roman Catholics in so many words disability for holding those offices; but it does provide that no Roman Catholic shall be entitled to hold them "otherwise than as he may be by law now entitled." That was the legal position before the passing of the Act of 1829. Every subject of Her Majesty is presumably entitled to hold every office under the Crown; but in the case of the Roman Catholic he was obviously and effectually barred by the Test Act. I am not aware, and I believe some good lawyers are not aware—I believe I may quote among others the eminent man who now holds the post of Lord Chief Justice of England, not with reference to any judicial decision, but with regard to opinions given in this House and supported by argument—that there was any other disability except that of the Test Act. The Test Act was removed by repeal in the year 1863. I do not enter now into the argument further, because, on the other hand, it is seriously contested by other lawyers whether that repeal has been effectual to qualify Roman Catholics for these offices. At any rate, I believe this is true: that when Parliament repealed the Test Act it had no distinct and specific intention of opening these offices to Roman Catholics. Well, Sir, it is quite plain that if the law is doubtful it ought to be made clear. It is quite plain that no person charged by Her Majesty with the solemn duty of forming a Government in this country could venture to recommend to Her Majesty this or that individual for either of these great offices while there was the smallest doubt attaching to the law which would place the validity of his acts in controversy. Consequently, I have thought it my duty not to be deterred from prosecuting this Bill, and I think that in arriving at that decision I shall so far have the unanimous assent of the House, if, indeed, the opponents of the Bill be in a frame and temper of mind in which it is possible for them to assent to any proposition whatever issuing from my unworthy lips. I will say one word on the drafting of the Bill. When this Bill was drafted, it was drafted as it was thought in conformity rather with precedent than with abstract ideas, and the consequence is that it lays down conditions with respect to the discharge of certain functions which it may be held are rather in the nature of religious tests. Whether they are so or not I do not know—I do not undertake, at this moment at any rate, to decide—but I certainly, and I think my right hon. and hon. Friends who are immediately responsible for the Bill, have come to the conclusion that it would be better not to embarrass ourselves with any considerations of that kind. Our object is simply to remove the anomaly which is supposed to exclude, and which perhaps excludes, certain subjects of Her Majesty from holding certain offices under the Crown, and to make provision, or to be certain that satisfactory provision is made, with regard to any duty ecclesiastical in its character, or not purely civil, that attaches to either of those offices. We think that those duties may be handed over with advantage to such person as Her Majesty, under the provisions of the Bill, may be pleased to select, and that it is not necessary for us to have any reference whatever to religious profession in the description of such person. Consequently, the course I should propose to take is this: If the House is pleased, as I hope it will be pleased, to read this Bill a second time, I should, with the consent of the House, revert to the convenient practice which I have not known to be applied for the past few years to any Bill of great importance, but which used to be applied to Bills even of great importance with great advantage to the country, namely, the practice of passing a Bill through Committee *pro formâ* so as to present it in that form which the promoters, with the consent of the House, think the proper form in which to submit it, reserving the substantial Committee to be taken after the Report of the Bill from that Committee *pro formâ*. Sir, I must next refer to a matter personally affecting myself, which I am extremely reluctant to introduce to the notice of the House, only because such personal matters are not fit or convenient for the general consideration of the House. But the publications I have seen on this subject make it quite certain that gentlemen foraging after topics in connection with this Bill will fall back upon those personal questions which always, it must be observed, have the advantage of creating a lively interest in the House at the moment. A pamphlet has been put into my hands within the last five minutes, entitled *Mr. Gladstone Exposed.* I have not yet had the opportunity of profiting by the wisdom and learning which no doubt it contains; but it seems to me that I must relieve myself from what I know, by the inspection of other documents relating to this Bill, will be thought a very convenient and advantageous topic on this occasion. The argument is that I, of all persons, am not the man to propose this Bill. Well, Sir, I will take the liberty of exactly inverting that argument, and saying that, so far as all previous declarations are concerned, I, of all persons, am the man to propose it. The allegation which I have seen made is that

I myself am a man who, by certain pamphlets published in 1874-5, proved that Roman Catholics were not fit to be intrusted with the discharge of high and responsible duties, inasmuch as their allegiance was impaired by certain tenets of their religion. I wish to state the case fairly, and my answer is this—it is perfectly distinct, and I will bring it to the test of distinct words. It is perfectly true that I did impeach in 1874 certain declarations of the See of Rome as dangerous to the civil allegiance of those who adopted and concurred in them, and I invited, in a pamphlet termed *Vatican Decrees*, my Roman Catholic fellow-subjects to give assurances to their fellow-countrymen on the question whether they did or did not profess a full, entire, and undivided allegiance. The effect of that pamphlet was to draw forth a considerable number of replies, and I myself, having published the tract in November, 1874, and having read and considered those replies, published a further tract termed *Vaticanism* in February, 1875, and in that tract I inserted a passage which I will now read to the House, but which evidently, for some reason or other, has never met the eyes of a single person connected with the opposition to this Bill, or any officer of any institution that has been concerned in getting up that opposition. A blindness, such as was inflicted on the sorcerer in the New Testament, seems to have struck them when they were engaged in the perusal of that particular page of the book, and I am now obliged to appeal to another sense, namely, the sense of hearing. What was the conclusion at which I then arrived with regard to the allegiance of my Roman Catholic fellow-subjects? In page 14 of the pamphlet termed *Vaticanism*, published in February, 1875, will be found these words—

> "I cannot but say that the immediate purpose of my appeal has been attained, in so far that the loyalty of our Roman Catholic fellow-subjects in the mass remains evidently untainted and secure."

And, Sir, it is because I am the man who upon examination and challenge has deliberately—16 years ago—announced that, in my opinion, whatever might be the claims of the Roman See, their loyalty was untainted and secure, I am the very man, if I have no other qualification, to be so far at least qualified to propose the Bill now before the House. Let me endeavour to impress upon the House that that is the whole question. Unless you can show that the loyalty of the Roman Catholic is tainted you have no right to inflict a disability upon him. I affirm that the opponents of this Bill have no *locus standi* failing that. They must attack that loyalty, and unless they can attack that loyalty with effect they are contradicting the principles of our Constitution, old and new, the principles of our Statute Law, and the principles which we have inscribed on that Statute Law in the very clearest terms. Is that doubted? I affirm, and I do not intend to give it as my individual opinion, as a mere *dictum* proceeding from me, as it would proceed, without the smallest authority — my affirmation is that the principles of the British Constitution admit and allow of no civil disabilities on account of religious opinion. Is that principle clearly declared in our law, or is it not? I will read a very few words from the Statute of 1867, chapter 75, from the preamble—a Statute highly creditable to the Parliament which passed it, and which was passed and took its place in the laws of this country when a Conservative Government was in office, thus supplying a good omen of what we ought to expect on the present occasion. That Statute begins with these words—

> "Whereas certain of Her Majesty's subjects are now on the ground of their religious belief subject to civil disabilities,"

and so forth,

> "and it is expedient to remove such disabilities and to substitute one uniform oath for the several oaths now required to be taken by different classes of Her Majesty's subjects."

Pray observe who are the persons in contemplation. Not certain selected persons, distinguished either by property, rank, influence, or religious profession, or by local habitation. They are not merely inhabitants of these small islands; they are the vast and almost innumerable populations in almost every quarter of the globe who bear the light burden of allegiance to Her Majesty, and who together approach 300,000,000, and constitute one-fifth part of the population of the globe. Pray observe this, for it lies at the very root of the question; it is no selected portion of Her Majesty's subjects whom the Bill has in contemplation. The declaration is clear; the grievance is stated at the beginning of the preamble, that certain of Her Majesty's subjects are now under disability on account of religious opinions, and the result is as clear and broad, for it is to provide that one uniform oath be taken by all persons "in lieu of several oaths now taken by different classes of Her Majesty's subjects." I hope, therefore, that there will be no controversy on this question of principle, that our law has for its basis the universal qualification—unless there be exceptions, and the exceptions I am coming to—of all Her Majesty's subjects of all religious opinions in all quarters of the globe, wherever they may be found, and there is no power of lodging a case against a Bill which aims at an emancipation or enfranchisement of that kind, except in the one only narrow path of impeaching the allegiance of some portion of them, which impeachment I have shown, from the passage read to the House, I, at any rate, have emphatically and explicitly renounced. Such is the principle of our Constitution. Let me point out that in this case to except is to proscribe. It is the question of proscription with which I have now to deal. I will not enter into the question of whether proscription is or is not persecution, but I think that causeless proscription is persecution. It is the only kind of persecution that remains open or accessible to the lovers of that amiable pastime. But I say that exception is proscription, and I want to know what is the view of proscription taken by our Constitution, and what is the case of proscription if any proscription is to be maintained? Now, Sir, what are the apparent cases of proscription under our Constitution? Everybody will say the Crown. Some people have taken a very broad view of this thing indeed. I possess a letter from one who is at least a courteous correspondent, who says—"Sir,—Your Bill is the first step towards relighting the fires of Smithfield." It is a much more moderate statement to say that it is the first step towards altering the conditions of the succession to the Crown. Sir, it has nothing whatever to do with the succession to the Crown, and I will tell you why. In the first place, the Crown is not concerned in any of these Statutes, and no law has been laid down with respect to the Crown such as was laid down in the Statute of 1868. The Crown is not open to competition. If the Crown were open to competition between A and B, and it was found that A was the man best fitted to wear it, but could not be appointed because he was a Roman Catholic, and therefore the Protestant must be appointed, then you would have achieved the first step towards proving an analogy. But there is no competition. The Crown has a single function, which is to be discharged by a single person; it is a mistake to suppose that the laws relating to the Crown inflict a proscription on a particular class of believers. The whole principle is entirely different on that point. These proscriptions are negative in form. They do not punish a person for believing. On the contrary, with regard to the Crown, what the law requires is that the person wearing the Crown shall be a Christian believer of a particular profession. It is not merely — though it has constantly been so called—a requisition that the Crown shall be worn by a Protestant; it must also be worn by a person communicating in the Church of England. This is a distinction. The distinction between requiring a positive belief and proscribing a positive belief is a distinction which has become famous and historical through the writings of Mr. Burke on the penal laws of Ireland. Every one must have in his memory those immortal writings of Mr. Burke upon Irish history and law, in which he contrasts the Irish and English penal laws, but the Irish especially, with the persecutions of old times, to the disadvantage of these penal laws, for, he says, the object of those persecutions was to drive people into some religion which it was thought it would be for their advantage to profess, but the object of the penal laws was not to drive or induce or bring people into any belief whatever, but only to drive them out of a certain belief, only to ascertain that they did not believe. That is exactly the principle of the little miserable shred and tatter of proscription which I now invite the House to sweep away. Now, with regard to the question of the Crown, this is not the occasion for me to give any opinion at all. It is a very high constitutional question, which, in my opinion, it would be very unwise to disturb. Its abstract merits constitute such a subject and occupy a field so wide that it is totally unsuited for the present limited discussion, and I pass it by by saying that I do not believe that the present settlement is regarded as irrational or creates discontent, and I, for my part, am not in any manner or degree prepared to touch it. But I pass on to another class of exception which is noticed in the Relief Act of 1829. That is the exception of an office, the very existence of which I suspect is unknown to some Members of this House—and I do not think it proves them to be men generally ill-formed if that be the case, though I have no doubt Scotchmen may be shocked at the utterance of so lax an opinion—that is the office held by Her Majesty's Commissioner to the General Assembly of the Established Church of Scotland. That office is excluded from tenure by a Roman Catholic. It is not the only office mentioned in the Relief Act. There are others, of which I shall not endeavour to give a catalogue. But there are those in this House who are now acting as Ecclesiastical Commissioners—I myself have acted in that capacity—and certainly my recollection is that the law requires to be taken—I myself have taken—a declaration stating that I am a member of the Church of England. I believe I am right in that respect; I am not aware that the law has been changed; and it falls under the same category as the case of the High Commissioner to the General Assembly of the Church of Scotland. But the principle of those limitations—though I do not say that they are limitations very necessary to be maintained—is clear, and cannot be said to be offensive, because the duties to be performed are not civil duties, and consequently the disability to perform them is not a civil disability. With that observation I pass on. I will only say with regard to the Regency of this country that it is treated by the Act of 1829 as an appendage to the provisions of the law relating to the succession to the Throne, and I do not see that there is anything unreasonable in the provisions of the Act. Then these apparent proscriptions are not proscriptions in either case attaching to the Crown; they lie in a totally different sphere, because they are not affecting the discharge of duties properly civil. With regard to the question of the Crown, I wish to avail myself of an authority which, not inconsiderable in itself, I think ought to have weight with gentlemen on the other side of the House. I daresay we shall hear in to-day's Debate that we are touching the Constitution of this country. [*Ministerial Cheers.*] Yes, I thought so; I endeavoured to get that cheer. I wish to say that when these questions were raised in 1867 Mr. Disraeli took part in that Debate, and expressly said that he approved, relatively to all the circumstances, of the restraints imposed upon the tenure of these offices by the Act of 1829, but he did not hold—on the contrary he denied—that they were any part of the Constitution of the country; he treated them as principles with which you could deal without exposing yourselves to that reproach, which he deemed absurd. Having endeavoured to clear all obstacles away, I have arrived at the contemplation of this one solitary proscription which remains on the Statute Book. I beg the House to contemplate it in all its beauty, or in all its ugliness and deformity. What is this proscription? What offices does it affect? Out of the whole vast variety of employments under the Crown it affects only two. And why does it affect them? Now, let us try that. My point of departure is that you have no right, except on proof of disqualification, to impose these disabilities. You cannot call on me to prove competency or ability; the burden of proof is on those who deny and exclude, and the sole part open to you, the sole proposition on which you can found yourselves, is that the allegiance of Roman Catholics is tainted and imperfect. That is the proof. Now, let us look at these cases. I take, first, the Viceroyalty of Ireland, because I am told and believe that the consciences of gentlemen are less vividly affected with respect to the Viceroyalty of Ireland than with respect to that most sacred fortalice of the Constitution, that inner sanctuary and Holy of Holies, the Lord Chancellorship. I wish to take the opportunity of stating to my Scotch friends that I think, in virtue of their nationality, they ought to look out pretty sharply, for I am very considerably shocked to find in our statutes the expression "the Lord Chancellor of Great Britain." I am not aware in what sense the Lord Chancellor is termed the Lord Chancellor of Great Britain, and as Member for Mid Lothian, until I am better informed, I protest against that expression as an aggression analogous to the old raids across the Border—an attempt to place upon Scotland a servitude which we utterly repel. The "Lord Chancellor of Great Britain," I contend, should be "Lord Chancellor of England." In 1867, I think, the question was raised whether the Viceroy of Ireland ought to continue to be under a disability with respect to the profession of the Roman Catholic religion. I think Mr. Disraeli, then Minister and Leader of the House, took part in that Debate. He denied it was a constitutional principle to exclude a Roman Catholic; but he asserted that the Viceroy of Ireland had ecclesiastical duties to perform, the performance of which would hardly be compatible, so Lord Naas and Mr. Disraeli contended, with the Roman Catholic religion. I wish to point out that he based his opposition to the proposal, so far as the Viceroyalty was concerned, entirely and exclusively—if my memory serves me right—upon a ground which has now altogether disappeared. When, happily, we passed the Act in 1869 to disestablish the Church in Ireland, we swept away all disabilities in the shape of those ecclesiastical functions on the part of the Lord Lieutenant. It is for those who still contend that Roman Catholics ought to be excluded from this office to show why it ought to be done. Do not let them attempt to shelter themselves under the authority of Mr. Disraeli. This office of the Viceroyalty of Ireland is, I believe, an office as purely civil at this moment as any office under the Crown. If there are any ecclesiastical functions, they are totally unknown to me. I do not believe in their existence. I have never heard them asserted to exist; and I submit that any principle which justifies your excluding a Roman Catholic from the office of Viceroy of Ireland is just as good and rational for excluding him from the office of Viceroy of Canada or the office of Viceroy of India. Ah! there you have, indeed, if anywhere, open to you a source of danger. Whatever the Viceroy of Ireland does, he does under our own eyes. The Viceroy of India is at a distance of many thouands of miles, operating within the precincts of a Government of which we have only the most partial, rare, and occasional cognisance. If they want an exercise for their ingenuity in showing the dangers that arise from the discharge of civil duties by Roman Catholics, I would seriously advise hon. Gentlemen opposite, the gallant Colonel who presented a Petition, and others, to study carefully the Viceroyalty of India, and see whether they cannot in some manner or other obtain from the duties of that office, where responsibility is so indirect and where the power of our watching is so incomplete, a show of reason, or, at all events, a fairer show of reason for exclusion than any they can show in this case. I go on now, Sir, to the Lord Chancellorship. The objections to a Bill of this kind are but two, so far as I know. One is the doctrine that is set up to the effect that the Lord Chancellor is the Keeper of the King's or Queen's Conscience. Now, Sir, what is the meaning and what is the value of that doctrine? There was a time when it was perfectly, absolutely, and literally true. I have not been able to find any distinct and consecutive history of the idea; but it appears to me very like the case of one of those streams which flow through certain strata over the surface of the earth, and then, coming into other strata, are absorbed, covered over, and disappear. The Lord Chancellor was Keeper of the King's Conscience at the time when he was the head of the King's chapels, and when, in virtue of that headship, he was, at a period long before the Reformation, Private Confessor to the Sovereign, and so he was literally and truly, or, at any rate, distinctively, the Keeper of the King's Conscience. At that time the Lord Chancellor was a very secondary person, for Lord Campbell or Blackstone, I do not remember which, informs us that he was only sixth among the great holders of office of that period, and the head of the law at that period was not the Lord Chancellor, but the Chief Justiciary of the country. In course of time the Lord Chancellorship became important, and other offices dwindled, and the Chancellorship passed from the head of the King's chapels into the hands of the Archbishop of Canterbury, or of some other great ecclesiastical functionary, and so remained until the reign of Henry VIII. I believe that at that time he had ceased to be Keeper of the King's Conscience, and there was no personal relation between them from that time onwards, so far as my information goes, and though I have endeavoured to inquire, as I have said, I can find no consecutive or full history of the case. I believe that the doctrine entirely slept until George III. wanted to intrigue with Lord Thurlow against his own Prime Minister, Mr. Pitt, either as regards Roman Catholic emancipation or some other matter. He consulted the Lord Chancellor of the Cabinet against the head of the Government, and he did it upon the pretence that the Lord Chancellor was Keeper of the King's Conscience, he knowing beforehand that this Keeper of the King's Conscience exactly coincided with the opinions he held. Who is the Keeper of the Queen's Conscience now? Are you prepared to replace Lord Halsbury in the position of private confessor to Her Majesty? If you are, well and good. Propose your Bill for that purpose, and let us see what we can make of it. But until you do that, and until you place your law upon this footing, do not talk any more about the Lord Chancellor being the Keeper of the King's Conscience. But, then, Sir, the Lord Chancellor is the possessor of great ecclesiastical patronage, and when I speak of ecclesiastical patronage, I speak of benefices, I do not include the appointment of chaplains and so forth, which may be considered civil appointments. But the Home Secretary is possessed of ecclesiastical patronage. The patronage in the Isle of Man belongs to the Home Secretary, just in the same manner as ecclesiastical patronage of other descriptions belong to the Prime Minister; and I rather believe, but of this I am not quite certain, as I have had no opportunity of knowing from personal experience, that the Channel Islands are in the same category as the Isle of Man with respect to ecclesiastical patronage. We have had for five years a distinguished gentleman, who, in the language of the law, professes the Roman Catholic religion, and fills the office of Home Secretary; nor can it be said that any difficulty, or doubt, or debate has arisen in consequence of his being by law invested with the discharge of that function. He has not corrected me about the Channel Islands, and I, therefore, assume the Channel Islands are in the same position as the Isle of Man. I am sure the Protestant Association ought to be much obliged to me for pointing out to their minds the existence of this great and frightful Constitutional danger. I have been told that the right hon. Gentleman since he has held that office has handed over to the Prime Minister the discharge of this duty of ecclesiastical patronage. I do not know whether that is so or not, and he does not appear disposed to give me any information.

The SECRETARY of STATE for the HOME DEPARTMENT (Mr. Matthews, Birmingham, E.): Since I have had the honour of holding the office of Home Secretary I have never submitted any name whatever to the Queen for any ecclesiastical appointment. From the first moment of my being appointed Home Secretary I asked the First Lord of the Treasury, then Lord Salisbury, and since then my right hon. Friend near me (Mr. W. H. Smith), to submit to the Queen the names for the appointment to benefices in the Channel Islands and the Isle of Man, instead of myself.

Mr. W. E. GLADSTONE: I think that as regards the position of the right hon. Gentleman, two things may be said—first of all, I would say that I am quite convinced that, if he had submitted any name for the purpose, he would have done it with the most perfect honour and impartiality; and, secondly, that the proceeding which he has described is most honourable to his disposition. He is in the condition of Cæsar's wife, who ought not to be suspected; but I must question the regularity, if not the legality, of the proceeding. If it be within the moral competency of the First Lord of the Treasury to hand over ecclesiastical patronage, say, to the President of the Board of Trade, that would be a very extraordinary proceeding; and therefore of his own authority and of his own notion the right hon. Gentleman appears distinctly to have broken the usages of the Constitution. I do not think any one Minister of the Crown has, as a general rule, a title to hand over any of his duties to any of the other Ministers of the Crown. But there is another matter. I understand that the First Lord of the Treasury has exercised this patronage, and has recommended to the Crown, and that the Crown has nominated to benefices in the Isle of Man and the Channel Islands, in consequence of the supposed disability of the right hon. Gentleman himself. Sir, I am extremely sorry to propound for the consideration of the right hon. Gentleman a legal difficulty which I am afraid he may find to be rather serious. He has handed over his ecclesiastical patronage to the First Lord of the Treasury; but the Statute Law of this country has been beforehand with him, and has handed it over to somebody else. I hope I am not making revelations.

Mr. MATTHEWS: No.

Mr. W. E. GLADSTONE: Is the right hon. Gentleman conversant with the 17th section of the Roman Catholic Relief Act? This section, which is, I believe, still in force, says—

> "Provided always, and be it enacted that when any right of presentation to any ecclesiastical benefice shall belong to any office in the gift or appointment of His Majesty, his heirs, or successors, and such office shall be held by a person professing the Roman Catholic religion, the right of presentation shall devolve upon and be exercised by the Archbishop of Canterbury."

Mr. MATTHEWS: I am much obliged to the right hon. Gentleman for having reminded me of that section, but it was perfectly present to my mind. This ecclesiastical patronage, such as it is, does not belong to the Home Secretary, but to the Queen herself, and the intervention of the Home Secretary is merely to suggest candidates for Her Majesty's approval.

Mr. W. E. GLADSTONE: The business of recommending for ecclesiastical appointments does not belong to the Prime Minister either. There is no law and no binding authority attaching to any of those functions in the office of Prime Minister. It seems to me most plain that when Parliament speaks of duties attaching to offices held under Her Majesty, it speaks of those duties which, by constitutional usage, attach to the office, and if these duties by constitutional usage attach to the office of Home Secretary, he is entitled to make the presentations, and such presentations made by the Prime Minister are void and without effect. I admit that to disable in point of patronage, when it is held by a particular person in office, is not the same thing as a civil disability. I think such a disability of patronage ought, undoubtedly, to be general if it is to exist at all. It ought not to be a disability inflicted on the professors of a particular religion; but for those who read our history, there is no doubt that with respect to the Roman Catholic religion the principle followed was this—not that the Roman Catholic religion was specially to be condemned, not that it was designated as a religion more remote from the prevailing religion of the country than many other forms of religion, but that it was a rival religion and a rival Church, and that, having been a rival religion and a rival Church, there might be a motive in the case of the Roman Catholics which might operate to render it unsatisfactory for them to exercise the duties of ecclesiastical patronage. In consequence, we adopt the method which is pointed out by the Statute of 1829, and by the facts of our history, and we propose to sever from the Lord Chancellor the exercise of ecclesiastical patronage. What right have we to inflict this disability? I will not speak merely of policy. Nothing can be clearer to me than that, in point of policy, it is a gross and monstrous error. What right have you to do it? Your principle is, no civil disabilities on account of religous opinions. What right, with respect to the civil duties of the Lord Chancellor, have you to inflict this disability? I have read a statement to the effect that were this disability removed from the Viceroy, he would not allow so much as what is called a "removable" to exist in Ireland unless he was a Roman Catholic, because everybody would be Roman Catholic, but that is not an objection to my Bill. It is an objection to the declared principle of the law, which makes the whole of Her Majesty's subjects alike qualified and entitled to the possession of office for the discharge of every kind of civil duty. And here I come to the odious part of this proscription, which is the selection of a particular body of Christians, and that the largest of all bodies of Christians, to inflict upon it this stigma and disgrace, to record in the face of the world the constitutional belief that, although the duties of the Viceroy and Lord Chancellor are, under this Bill, purely civil, and although everybody else is qualified to discharge them, one class of persons, and one only, is disabled by law from undertaking them. The Home Secretary, I do not hesitate to say, in the possession of his office, stands quite as near the Sovereign as does the Lord Chancellor, and he stands a great deal nearer than the Viceroy of Ireland, for there is no act in which the Crown is concerned that the Viceroy of Ireland can perform, except through the medium of the Home Secretary. Yet the right hon. Gentleman, and I rejoice to say it, professing the Roman Catholic religion, holds the office of Home Secretary, and no human being has ever complained—no armfuls of Petitions are presented against this appointment, praying Her Majesty to remove him; and I believe if I were, instead of this Bill, to introduce a Bill for the removal of the Home Secretary, the very gentlemen who have appeared to-day as champions of the Protestant Constitution would vote against my Bill as dishonourable, and reject it summarily from the notice of this House. Now, Sir, Roman Catholics are ineligible for these two offices. Who, then, are eligible? Consider what the British Empire is. Consider whom it includes. Consider all the professions of religion and all the professions of non-religion that make up the vast body of the community of the Queen's subjects. It might seem invidious to draw any distinction between one body of Christians and another; but pray recollect that there is no legal obstacle, so far as I can learn—and I rejoice that there is no legal obstacle to going beyond the Christian pale—no legal obstacle to the holding of the Lord Chancellorship, ecclesiastical patronage and all, by a Jew, by a Mahomedan, by a Buddhist, by a Hindoo. All these, under your Protestant Constitution, can hold the office of Lord Chancellor, and exercise, as the right hon. Gentleman truly says, not by the mere recommendation of the Crown, but in virtue of the legal powers of the office itself, the right of presentation to, I think, 800 benefices in the English Church. So much for the religion. The Jews are the possessors of a great tradition, in common with ourselves, as I rejoice to think; but those who do not accept that tradition at all—not only the Mahomedans, but the professors of all those Oriental religions—you affirm by your law to be qualified to hold these offices and to exercise ecclesiastical patronage. Yet you deny it to the Roman Catholics. That is the inequality I ask you to proceed to remove—the inequality which you refuse to remove. What are we to say of the non-religionists? Secularists, materialists, agnostics, atheists—all these are not religions, but non-religions. Every professor of every one of those non-religions, every man who comes to you saying, "I will tell you nothing of what I believe, but I will tell you a great deal of what I do not believe," and then proceeds to sweep aside everything that constitutes your consolation and your hope, your guide in conduct through life until death—all these people are qualified to hold the Lord Chancellorship of this country, and to recommend for ecclesiastical benefices. But the successors of Pascal, of Thomas à Kempis, and of old Pope Gregory the Great, who sent missionaries to the southern part of this country—they are all to be disabled. Oh, Sir, I have shown that the principles of your law require the passing of this Bill. I have shown that your policy demands it, for what can be so absurd as that when a gentleman is engaged in the constitution of a Government for this country there should be a particular man whom he finds to be, on the whole, best qualified to be Lord Chancellor or Viceroy of Ireland, but whom he is compelled to pass by because he is a Roman Catholic, and to put someone else who, whatever his merits, is less fit for that particular office? In that noble profession, the Bar of this country, every man rises by free and open and unbiased and glorious competition. It is a grand thing, morally as well as socially, for a man to rise and become the head of the English Bar; and is it worthy of you and your traditions, when a man has arrived at such a position, and when the prize is his by every principle of right, to say to him, "Pass onwards; you are disabled from filling the Chancellorship, for you are a professor of the Roman Catholic religion?"

Thus the last and only test that remains is the test of religion. People have written to me saying, "Is it possible that you can be a Christian"—I might almost imagine that I was not from the tone of these communications—"and can you, remembering the religious responsibilities of all Christians, propose this Bill?" Yes, Sir; I can, I will, and I do. We ought to do it because we are Christians. There is nothing more fatal to the interest of religious belief than the setting up of fictitious, unreal, sham standards of belief. If we are to have such standards at all let them be of an intelligible character. A distinguished man and admirable Member of this House was laid yesterday in his mother-earth. He was the subject of a long controversy in this House—a controversy the beginning of which we recollect and the ending of which we recollect. We remember with what zeal it was prosecuted; we remember how summarily it was dropped; we remember, also, what reparation has been done within the last few days to the distinguished man who was the immediate object of that controversy. But does anybody who hears me believe that that controversy, so prosecuted and so abandoned, was beneficial to the Christian religion? The people of this country saw through the imposture which blinded many Members of this House; and it is in the name even of that religion which the vast bulk of us believe to be holy, believe to be the greatest and only true treasure of mankind—it is in that name, if I must fall back upon such a resource, and, of course, it is primarily and broadly and mainly on the ground of that which we are here to discuss, namely, constitutional law and political wisdom, that I ask you to give your assent to the Second Reading of this Bill.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. W. E. Gladstone.*)

*(1.35.) THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): Mr. Speaker, the House has listened with the greatest possible interest to one of the most able and eloquent speeches which the right hon. Gentleman has ever delivered here. But it does seem extraordinary that this speech should be delivered now, and should not have been delivered during many of the many previous years when it might have been delivered.

MR. W. E. GLADSTONE: I did deliver similar speeches both with reference to the Viceroyalty and the Lord Chancellorship in the year 1867.

*MR. W. H. SMITH: The right hon. Gentleman reminds me that he delivered speeches of this character in 1867, when the right hon. Gentleman was in Opposition. But the right hon. Gentleman was in office between 1868 and 1874, and again between 1880 and 1885, and during those years, when he was responsible for the Government of the country, the right hon. Gentleman did not deem it necessary to propose a measure of this kind to the House. Now, circumstances are so urgent that he thinks it necessary, only for the third time in his remarkable Parliamentary history, to propose this Bill as a measure which is to remove a great wrong. The right hon. Gentleman had opportunities of considering this question when he was directly concerned in the government of the country. In 1881 the right hon. Gentleman, who was First Lord of the Treasury, was asked

> "Whether, in view of the general principle of absolute religious toleration in the government of this country, he is prepared to advocate the abolition of all remaining religious checks at present existing, such as those which prevent the Lord Chancellor and Sovereign of Great Britain from being a Roman Catholic, and thus to endanger the Protestant succession as established by law."

What did the right hon. Gentleman answer?

> "No, Sir; the Government have no intention of advocating anything of the kind."

We, therefore, have this remarkable fact established—that the Government in 1881 had no intention of advocating that the disabilities affecting the Chancellorship should be abolished. The House will observe that the Lord Chancellor is categorically included in the question which was put, and that no reservation was made by the right hon. Gentleman, whose answer was, "The Government have no intention of advocating anything of the kind." The right hon. Gentleman has to-day spoken of these disabilities as anomalous, unjust, and discreditable. Well, if those epithets can be fairly applied to the disabilities which prevent the office of Lord Chancellor of Great Britain and the office of Lord Lieutenant of Ireland from being held by a Roman Catholic, how was it, I repeat, that the right hon. Gentleman when he had full power in his hands and a large majority at his back did not exercise his power to remove this "anomaly, this injustice, and this discredit?" The right hon. Gentleman has remarked that in law it is extremely doubtful whether there is any necessity for this Bill, and he drew attention to the opinion given by Lord Coleridge when he was Attorney General in the right hon. Gentleman's Government in 1872. I always speak with hesitation when endeavouring to interpret a lawyer's *dictum*, especially when it is uttered in answer to a question asked across the floor of the House. It is only fair to recognise that an opinion expressed under such circumstances must be given in a narrower compass and with less consideration than an opinion given on a case submitted in the proper and ordinary form. But if I read this opinion correctly it amounts to this: that there is no occasion for the Bill which is being presented to the House for consideration to-day. The right hon. Gentleman has told us that doubt exists whether there is any occasion or necessity for this measure. How is it, then, that the right hon. Gentleman now moves in a matter which, in the time of his power, he declined to touch at all? What condition of things has brought about such extraordinary urgency that he proposes, as leader of the Opposition, this Bill for adoption by the House? Another remarkable point to which I would draw attention is this: The right hon. Gentleman has indicated clearly that this Bill is not the Bill with which he proposes to proceed in Committee of the Whole House, but that it is a Bill which is to be the subject-matter of a mere declaration of principle. As soon as it has been read a second time it is to be committed *pro formâ*, and then some other provisions are to be introduced with respect to the disabilities attaching to the Chancellorship. In fact, the Bill is to be withdrawn and a new one is to be introduced. I am not, I think, saying too much when I state that the Bill, although it deals with large principles, is so small in itself that if the character of its limitations and restrictions is to be seriously altered the better course would be to withdraw it altogether, and to introduce a new measure, in order that we may realise fully what it really is that we are asked to read a second time. The Bill, be it observed, proposes to remove all religious disability, but declares practically that as to a large and serious portion of the duties of the Lord Chancellor, that official, if a Roman Catholic, is not to be held fit to discharge them. The right hon. Gentleman alluded to the pamphlets which he wrote in 1874 and 1875, and said that he had no doubt that he would be met by some references to those pamphlets. He read some words in which I heartily concur, if he will allow me to say so. I think he stated on page 14, in language equally outspoken and more consistent—

> "I cannot but say that the immediate purpose of my appeal has been attained, in so far that the loyalty of our Roman Catholic fellow-subjects in the main remains evidently untainted and secure."

But, Sir, what were the conclusions at which the right hon. Gentleman arrived in this matter? I have read accurately the quotation on which he relied to show that he was satisfied of the absolute loyalty of our Roman Catholic fellow-subjects. I regret for myself that any statesman in his position should have thought it necessary to cast a doubt on that loyalty. For my own part, I have never doubted the absolute and complete loyalty of the Roman Catholic subjects of Her Majesty, but I must remark on the conclusion at which the right hon. Gentleman arrived. He says—

> "I have now, at greater length than I could have wished, but, I think, with ample proof, justified the following assertions;—(1) That the position of Roman Catholics has been altered by the decrees of the Vatican on Papal infallibility and on obedience to the Pope; (2) that the extreme claims of the Middle Ages have been sanctioned and have been revived without the warrant or excuse which might in those ages have been shown for them; (3) that the claims asserted by the Pope are such as to place civil allegiance at his mercy."

Those were the conclusions at which the right hon. Gentleman arrived, after having satisfied himself of that which no man who knows what society is in England, and has lived on terms of amity and friendship with his countrymen, could doubt—and that is, the perfect loyalty of the Roman Catholics. I cannot but express the greatest possible sorrow and regret that this question has been raised at the present moment. Why, Sir, has this great effort been made by the right hon. Gentleman? What is there in the present condition of circumstances and politics which differentiates it from the condition which existed between 1868 and 1874 and between 1880 and 1885, when the right hon. Gentleman held office? Why did he not then make these changes which he now asks the House to sanction? Sir, there is no demand for any change that I am aware of on the part of the Roman Catholic subjects in Great Britain. I have heard of no desire expressed whatever in favour of the change. No Petitions in favour of the demand have been presented. No public opinion exists in its support. I rejoice with the right hon. Gentleman in his belief in the absolute and complete civil equality which exists between the Roman Catholic subjects and all other subjects of the Queen. There is also this question which arises: whether the doctrine of civil and religious equality compels us to place officers in the position of the Lord Lieutenant of Ireland and Lord Chancellor of England who are Roman Catholics — whether the influence they would exercise in those positions would be regarded with alarm and distress by large classes of Her Majesty's subjects. The right hon. Gentleman, in his eloquent peroration, referred with feelings in which all must sympathise to the case of a man of great eminence who, having arrived at the head of his profession, nevertheless must be passed over, in spite of his talent, in the attainment of the highest office to which by talent and ability he could aspire, on the ground of his being a Roman Catholic. But I ask the House to consider, and I ask the right hon. Gentleman to consider, whether the appointment to an office is alone the right of the individual to be appointed, or whether the Government has not to consider whether, on the whole, the officer should be one who will be free from prejudice and free from any other objectionable epithets which might apply to the emotions which influence men. I say that if a prejudice of a wide and deep-rooted character exists which prevents such an officer from commanding absolute confidence in his impartiality in the discharge of the trusts of his office—if such a feeling exists it is one which ought to be taken into consideration, even though it be a prejudice. Now, Sir, my objection to this Bill is that, while it applies only to two persons, it alarms, and distresses, and affronts very large classes of Her Majesty's subjects. The Member for Kilkenny (Sir J. Pope Hennessy) gave notice of an Instruction to the Committee which he has since withdrawn. He sought to free the Sovereign from the restraints which are imposed upon her with regard to the profession, I think the right hon. Gentleman says, of the religion of the Church of England. I think the right hon. Gentleman laid it down that under the Act of Settlement the Sovereign must be a member of the Church of England.

MR. W. E. GLADSTONE: Communicant.

*MR. W. H. SMITH: Yes. And I am bound to say that I think the hon. Member for Kilkenny is perfectly logical in the course he suggested. I do not think it was an extreme suggestion to make. It is one that has been suggested by Members from that side of the House who represented Roman Catholic constituencies. I find that Sir Colman O'Loghlen, Mr. O'Donnell, and Mr. Bellingham made that suggestion in this House, and it was only consistent with the position which he occupies that he should draw attention to a matter which, perhaps, the Member for Mid Lothian may at some future time say is another anomaly and injustice. I think I am not straining the argument too far when I say that the right hon. Gentleman himself refrains for the present, and guarded himself as to the future against suggesting any change in the Act of Settlement. I cannot see how it is that the Lord Lieutenant, who is the representative, the *alter ego* of the Sovereign, should be relieved from what is called, what the right hon. Gentleman regards as a disability, but which I am sure the vast mass of our Roman Catholic fellow-subjects, loyal and contented as I believe them to be, do not regard as a disability. There cannot be a doubt that the Roman Catholics in this country enjoy greater freedom than in many Roman Cathlic countries. I believe they enjoy in this country greater freedom than in almost any other country in any part of the world. There is no restriction of their institutions which distinguishes them from any other subjects of the Queen. The right hon. Gentleman has referred to the fact that Her Majesty's present Government has fully recognised the claims of Roman Catholics to hold high office under the Queen. The question is whether it is wise, or necessary, or expedient that these two remaining offices should be open to Roman Catholics. Now, Sir, I cannot help referring to the singular procession of dates which accompanies this question. In was in 1867 that Sir Colman O'Loghlen proposed to relieve the Lord Lieutenant of Ireland and the Lord Chancellor in England from disability. In 1872 Sir Colman O'Loghlen brought in a similar Bill, but the then Attorney General (Sir John Coleridge), in a learned argument, declared that there were no disabilities, and the Bill was withdrawn. In 1874 the right hon. Gentleman published his pamphlet to which I have referred, and then in 1881 Mr. Bellingham asked the question to which I have referred, and in answer to which the right hon. Gentleman said he had no intention of advocating the relief of the Lord Chancellor or the Crown from the disability under which they rested.

MR. W. E. GLADSTONE: And the Crown.

*MR. W. H. SMITH: Well, the Lord Chancellor was included in the question. In 1886 the right hon. Gentleman brought in his Home Rule Bill. This is the singular procession of dates, and one cannot help connecting—and, I think, not unfairly connecting—the whole policy of the right hon. Gentleman, and arriving at the conclusion that but for the Home Rule Bill of 1886 the necessity for this measure would not have arisen. The opportunity was afforded before 1886 of passing it into law, but it was not availed of. In 1890 and in 1891 it becomes a measure of great urgency, because the right hon. Gentleman no doubt looks forward to the introduction of a Home Rule Bill when he comes into power with a large majority. Then we have this condition of things: We have a measure of Home Rule to be proposed by Her Majesty's future Government, which no doubt will meet the views of the Irish Members, or we are told so. The Irish Members, we know, do not consent to the supremacy of the Imperial Parliament. I do not profess to be acquaintad with the negotiations, if there have been any, with the view of bringing together the two sections of the Irish Party, nor with the result of negotiations, but there can be no doubt that at no period will the Irish Party accept less than the complete independence of their Parliament. Equally there is no doubt whatever that the right hon. Gentleman will agree to that complete independence. I have not the least doubt that before that period which is looked forward to with great desire and hope by hon. Gentlemen opposite—the General Election—the agreement will be sealed, signed, and delivered under which the absolute independence of the Irish Parliament will be recognised, and the sole link of control that will remain will be the Lord Lieutenant representing the slender thread of the Crown as the connection between the Government of England and the Government of Ireland. We arrive, therefore, at this singular result: that under the legislation which will be proposed by the right hon. Gentleman we shall have an independent Irish Parliament which will consist chiefly and mainly of Roman Catholics; we shall have a Government chiefly and mainly of Roman Catholics responsible to that Irish Parliament; and then we shall have a Lord Lieutenant, qualified beforehand by the Bill which the right hon. Gentleman is now seeking to pass, who will also be a Roman Catholic; and this is the language in which the right hon. Gentleman in his pamphlet speaks of those who may be selected for this important office:—

> "A convert, in case of any conflict between the Queen and the Pope, will follow the Pope and let the Queen shift for herself—and that she can very well do."

Now I should be very sorry to identify myself with the opinions or the conclusions of the right hon. Gentleman on every point, but I want the House to follow the chain of events. The right hon. Gentleman supports a measure in 1867; he writes a pamphlet in 1874, to which I have no doubt he entirely adheres at the present time; in 1881 he declines to take any steps which may or may not have been necessary to relieve the Lord Chancellor, and I suppose, therefore, also the Lord Lieutenant, from any disability; and in 1886 he proposes a Home Rule Bill, having written this book, in which he says that converts, and therefore presumably the person who may probably be Lord Lieutenant of Ireland, will follow the Pope first of all, and not the Queen. I do not wish to enter at any length upon the details of the measure; but I want to point out this one thing—either the measure is necessary or it is not necessary. If it is not necessary, it is open to the objection which the right hon. Gentleman himself indicated—that it does impose a fresh and new disability; and the point I wish to draw the attention of the House to is that, while it disqualifies the Lord Chancellor from exercising ecclesiastical patronage, and from discharging any trust of any corporation or institution which may attach to the Church of England, it leaves him open to declare the law and the policy affecting such trusts, so that the Lord Chancellor is to be rendered incapable of discharging an executive duty within the plain direction of the trust, and the plain direction of an instrument which no man would seek to evade for a single moment, be he Roman Catholic or Protestant; but he is not debarred from discharging the duties effecting the policy and the legal interpretation of such trusts. I can hardly regard that as either wise or satisfactory. It is, I can only repeat, the setting up of a new scheme of disability, declaring at one moment that a Roman Catholic lawyer is to be fully capable of discharging the duties of Lord Chancellor, and the next moment cutting off from him a very large proportion of the most important duties which devolve upon him. I am not, I believe, straining a point at all in saying that the right hon. Gentleman must have contemplated all these consequences with reference to the future government of Ireland by the light of the book which he has written, and the opinions he has expressed therein. I regard this Bill as most unfortunate and inopportune. I do not know why it is proposed, unless it be in connection with the scheme of Home Rule with which the right hon. Gentleman is identified. We have fellow-subjects of the Catholic faith in all parts of the world. We trust them, we rely upon them to discharge their several duties, and there is no disability of any kind upon them other than those to which reference has been made in the Bill. It seems to me that those who stir questions of this kind incur an enormous and grave responsibility. The revival especially of religious controversy is a matter that ought to be avoided by all who have any regard for the peace and well-being of the country. We are in peace, and I earnestly hope that the House and the country will allow us to remain so, and that this Bill may not pass into law. I beg to move, Sir, that the Bill be read a second time this day six months.

Amendment proposed, to leave out the word "now," and at the end of the Question, to add the words "upon this day six months."—(*Mr. William Henry Smith.*)

Question proposed, "That the word 'now' stand part of the Question."

*(2.30.) MR. SYDNEY GEDGE (Stockport): I regret the absence of the right hon. Gentleman the Member for Mid Lothian at the present moment, as I shall have to quote his words to a considerable extent. It seems to me that we can look at this matter either from a political or a religious point of view. My intention in the greater part of the few remarks I shall submit to the House is to deal with it from the political side, because it is indeed a political question, and religion only comes in incidentally. When I first read this Bill I naturally turned back to the Roman Catholic Emancipation Act of 1829, which it would have the effect of modifying very considerably. I read most of the speeches made by leading Members, both in this House and the House of Lords, when the Catholic Emancipation Bill was under discussion. I suppose no question was ever more fully discussed, because Debate took place not only upon the different stages of the Bill, but also upon the presentation of Petitions for and against it. I naturally turned to the opinions expressed by the leaders of the side which promoted the Bill. The measure was brought in by a Conservative Government, but was largely supported by the Whigs. I find that Lord Brougham, then Mr. H. Brougham, said—

> "The Bill went to the entire length that any reasonable man ever did or ever could demand. It requires no securities but such as the most

zealous Catholic must readily admit to be of necessity part and parcel of so comprehensive a measure."

These securities consisted in leaving the religion of the Sovereign untouched, and providing that the Lord Chancellor and the Lord Lieutenant of Ireland should be Protestants. Now, I ask on what principles we should decide the question whether such securities should be removed or maintained? For an answer I will quote Lord John Russell, one of the leaders of those who favoured civil and religious liberty. In his great speech on the Test and Corporation Act, which was published in the authorised selection of his works before his death, Lord John Russell said—

> "If the religion of any body of men be found to contain political principles hostile to the State, or militating against that allegiance which is due from every subject to the Crown, in that case the question ceases to be a religious question, and you have a right to interfere, and to impose such restrictions as you may deem necessary; because you do not impose them on religious opinions, you impose them only on political doctrines."

I will attempt to show that the religion of the body of men, whom we call Roman Catholic or Papists, does contain principles hostile to the State and militating against that allegiance which is due from every subject to the Crown. In order that I may not be accused of going to rabid Protestants or to those incapable of doing justice to men from whose opinions they differ, I will quote simply and safely from the right hon. Gentleman (Mr. Gladstone) himself. My quotations will be taken from what I understand to be the very last edition of his book called *Rome: Newest Fashions in Religion.* The edition bears the date 1875, and contains the latest published authentic record of the right hon. Gentleman's opinions on this subject. The right hon. Gentleman had arrived at that time at the ripe age of 65; he had been Prime Minister twice, and I think we may conclude that he had sufficient knowledge of the matter to arrive at a sound conclusion. I understand that the right hon. Gentleman does not repudiate, but he still holds the opinions expressed in the pamphlet to which I allude. In the preface of 1875, the right hon. Gentleman thought it necessary to call public attention to

> "Not only the tendency, but the design of Vaticanism to disturb civil society, and to proceed, when it may be necessary and practicable, to the issue of blood, for the accomplishment of its ends."

He speaks also of

> "The intention of the Roman Church, whenever she thinks it may be safely ventured, is to trample the law under foot."

In another passage in the preface he writes—

> "The hierarchical power of the Latin Church, aiming internally at the total destruction of right, not as opposed to wrong, but as opposed to arbitrary will. Externally, it claims 'to over-ride at will, in respect of right and wrong, the entire action of the civil power and to employ force when necessary.'"

In another passage he speaks of female converts as "converts," and of male converts as "captives." He says—

> "No one can become her convert, without forfeiting and renouncing his moral and mental freedom, and placing his civil loyalty and duty at the mercy of another."

When the right hon. Gentleman, in the preface, published in 1875, comes to the word "renouncing," he drops it, and inserts "forfeiting," which, I think, makes the expression stronger, because forfeiting means a compulsory giving up without any action of the will. Therefore, what is true of converts being true of Catholics as a body, every Papist, whether born in the faith or whether he be a convert, places his civil liberty and duty at the mercy of another. Yet the right hon. Gentleman asks us to admit such persons, placed in such a dilemma, to two high and confidential positions in the estate from which they were excluded by universal consent in 1829. It may be said that Rome used to be very dogmatic on matters of this kind, but is not so now. The right hon. Gentleman himself puts an end to that belief. He says—

> "The Church of Rome has abandoned nothing and has retracted nothing. She unconditionally maintains what the mediæval Popes maintained —a claim to universal monarchy."

He says—

> "We were told that the dangers of deposition and persecution, of keeping no faith with heretics, and of universal dominion, were obsolete without revival — mere bugbears." "All these claims," he says in the pamphlet, "are revived; and everyone is in full force, and is necessary to salvation."

He says—

> "The words, 'A Catholic first and an Englishman afterwards,' I take to mean that the convert, in case of any conflict between the Queen and the Pope, intends to follow the Pope and let the Queen shift for herself."

I will quote one more passage from the

right hon. Gentleman, and then I will have done with him as far as quotations are concerned. He says, with regard to Popery generally, two things. In the first place, he says—

> "No more cunning plot was ever devised against the freedom, the happiness, and the virtue of mankind than Romanism."

Then, on the 95th page of his paper on the *Vatican Decrees,* he says—

> "To secure rights has been, and is, the aim of the Christian civilisation; to destroy them is the aim of the Romish policy. This has become its undisguised, unchecked rule of action and law of life."

I am very sorry indeed that we, who live on terms of harmony with our Roman Catholic fellow-subjects and fellow-Members, and who desire that they should have full liberty to worship God as they like, are obliged to get up and quote these things, written by a distinguished Member of the House whom nearly all the Roman Catholic Members of the House are now following. But this is no fault of ours; we never raised the question, or thought of raising it, but when it is raised we are bound to see whether Rome has in any sense modified her intentions. In 1886 the English Roman Catholic Bishops sent up to Rome for beatification the names of several persons who were called martyrs, and who had been put to death in England in the reign of Queen Elizabeth. Of that number the Pope and the Court of Rome selected four for beatification. I do not know what beatification is exactly, or what relation it bears to canonisation, but the fact, at all events, will show the class of men whom Rome delights to honour. The first of these men was named Plumtree, and he was hanged for rebellion in 1579; and the second was Felton, who was executed because he nailed to the door of the Bishop of London's Palace the Pope's Bull deposing Queen Elizabeth; the two others were executed for, in obedience to that Bull, refusing allegiance to the Queen. We may take it that if the Pope issued a Bull deposing Her Majesty Queen Victoria from the Throne every Roman Catholic would be bound to renounce his allegiance to the Queen and let Her Majesty shift for herself. Well, Sir, we take the chance of that with confidence as regards our hon. and right hon. Friends as Members of this House; but it is a very different thing to put anyone, who is in the unfortunate position of having to make up his mind whether he will obey Her Majesty or the Pope, in a place in which he will be confidential adviser to the Crown, the keeper of Her Majesty's conscience, or her representative in the Sister Island. With regard to the position of Lord Chancellor, I would point out that young ladies of property are continually being made wards of Court. When such ladies desire to enter into an engagement to marry, the Lord Chancellor has to consider whether he will give his consent. Now, what is the rule of the Roman Catholic Church at the present time in regard to civil marriages and religious marriages which are not in accord with the Decrees of the Council of Trent—decrees which may at any time be made binding upon Catholics in this country? The Lord Chancellor, if he were a faithful Catholic who obeyed the Pope, would, under such circumstances, be obliged to hold that any marriage celebrated before a Registrar in this country was no marriage, but "a filthy concubinage." So, at least, says the right hon. Gentleman. I ask whether Members of this House are going to put their daughters, and nieces, and granddaughters into a position in which such a term may be applied to them by the man whom this law will make their guardian? With regard to the patronage of livings the Bill makes provision. The right hon. Gentleman distrusts the Papist Lord Chancellor, and rightly takes from him the patronage of the livings; but what provision does he substitute? At present the Lord Chancellor exercises his patronage in the light of day, and with full Parliamentary responsibility; but under this Bill, his patronage would be handed over to some person nominated by Her Majesty, and who need not even be, as the Bill is drawn up, a member of the Church of England. The responsibility of a Minister for his patronage is not illusory. Lord Westbury, having misused his patronage, was compelled to resign the Woolsack; and the right hon. Gentleman's exercise of his patronage as Premier with regard to what was called the Ewelme Rectory scandal contributed greatly to his downfall in 1874. With regard to trusteeships, it is provided that the Chancellors place is to be taken by a Judge who must be a member of the Church of England.

There are in the patronage of the Lord Chancellor 12 canonries and 663 livings, and it is proposed that this patronage may be exercised by a person who is not a member of the Church of England. Now let me contrast the position of the present Bill with that of the Roman Catholic Emancipation Bill of 1829. The latter measure came before the House after having been before the country for 30 years, and when there were real grievances to be removed. The Bill was introduced by the Government with a full sense of their responsibility as being answerable for the peace of the country. How is this Bill moved now? It is brought forward by a right hon. Gentleman who had full power when he was in the same position as the Duke of Wellington and Sir Robert Peel to bring in a Bill to the same effect and to pass it; but he did not do so. He waits until he is in opposition and in a minority, and then introduces it, with the evident intention not to quell religious strife, but to provoke it. [*Cries of* "Oh, oh!"] I cannot, of course, look into the recesses of the right hon. Gentleman's heart, but I have a right to draw inferences from the facts before me, and I say that when, under such circumstances, he brings forward a Bill which he knows will not pass, in order to raise a discussion and put the Government, as he hopes, in a false position, mischief and not good is his object. The Bill of 1829 was loudly called for. There is no call for this; it has been termed, indeed, a "Ripon-Russell Relief Bill." I do not believe it is intended to benefit the hon. Member for Hackney; I believe the only one who would be relieved by it would be the hon. Member for Longford (Mr. Healy); at all events, it is promoted only in the interests of individuals, and not in the general interests of the country. The right hon. Gentleman is credited by some with having brought the Bill forward in the interests of the Nonconformists. In old times the Nonconformists saw so clearly the political danger, the risk to freedom of giving powers to Papists, that they united with Churchmen in passing the Test Act. One of the leading Nonconformists, when the Test Act was under consideration, said, in this House—

> "If the Bill included Dissenters they had rather live under the severity of the law than clog so necessary a work."

I appeal to my Nonconformist friends to remember that the same motives which existed in former days on this Bill ought to still weigh with them now. I ask them not to leave all the battle against this Popery—which I do not describe, but which the right hon. Gentleman himself has so graphically pictured—to members of the Church of England alone. Let them stand shoulder to shoulder, side by side with us, instead of going over to the enemy. It seems to me that the proposed Instruction of the hon. Member for Kilkenny (Sir J. Pope Hennessy) was a most logical sequence of the Bill. He, no doubt, burst the bag and let the cat out of it, and I am not surprised that he has been requested to withdraw his Instruction. I ask the House whether they intend that this country shall remain a Protestant State or not? Nearly every office is open to Roman Catholics; there are but two of a very special character not so open. It is urged that the law does not prevent the Prime Minister being a Roman Catholic, but that is because he is an officer unknown to the law. He may be the holder of any office. If you want to prevent the Prime Minister being a Roman Catholic, you must prevent Roman Catholics holding any office whatever, and that no one wishes to do. I say, if you remove the just and wise securities which, in the opinion of Lord John Russell and Lord Brougham, were absolutely necessary, you take away the Protestant character of this country, and we shall have Roman Catholic priests presented to English Bishoprics; we shall see a Roman Catholic priest coming up to that Table and reading prayers; and we shall find that what has been the palladium of English liberty for the last 200 years will be done away with, and this will cease to be a Protestant State.

(3.0.) MR. A. ELLIOT (Roxburgh): We have just listened to a somewhat panic-stricken orator, but the question we have to discuss is not whether or not the Protestant religion shall cease to exist, but a much more limited proposition, whether it is right, just, wise, and politic to maintain an exclusion of this kind on the ground of religious belief. I confess it was with a feeling of very great regret that I heard that Her Majesty's Government felt it incumbent upon them to resist the Bill. I know the opinions of various gentlemen holding high positions in the Government, and their action upon questions involving high religious considerations. Actually the Government went out of their way to select a member of the Roman Catholic Church as Home Secretary, and I never heard them blamed for it. But why that same Government, which selected a Roman Catholic as Home Secretary, should now insist that no Roman Catholic shall be appointed to the position of Lord Chancellor or Lord Lieutenant of Ireland, I am not able to understand. I listened to the remarks of the leader of the House, and I confess I could not find out how far the right hon. Gentleman based his opposition to the Bill on the merits of the case. The right hon. Gentleman said that what the Bill proposes would outrage public opinion. But I want to hear it discussed on its merits, and if the opinions entertained by the Government at all resemble the opinions which we have just heard expressed by the hon. Member (Mr. Gedge), I cannot help believing that they must have yielded to the pressure of bigoted, narrow, and altogether out-of-date sentiments, at variance with the views which now prevail among the generality of men in all parts of the Kingdom. The only possible suggestion of an argument, if it deserves to be called an argument, came from the contention that if the Bill is passed we must logically go further, and alter the Act of Settlement of the Crown. I do not suppose that any hon. Gentleman seriously considers that to amend the Act of the 10th of George IV. — the Roman Catholic Emancipation Act—which has been already amended in several particulars in the direction in which it is now proposed to amend it, is at all analogous to altering the Act regulating the succession to the Crown. There are many distinctions which have been pointed out by the right hon. Member for Mid Lothian, and there is this also to be said: If we make a mistake in the case of a Lord Chancellor or Lord Lieutenant, if either is found acting to destroy the Constitution or the Protestantism of the Kingdom, it is not impossible to remove the particular Lord Lieutenant or to get rid of that particular Lord Chancellor. But if we alter the succession, and a mistake is made, that is a matter which cannot be so easily remedied. When you deal with the settlement of the Crown you deal with matters that are settled for generations. It is not a matter to be easily altered. It is one of the fundamental statutes on which the Constitution rests. And, further, it is perfectly reasonable that the head of a great Protestant Empire, the governing part of which is in the main Protestant, should, as representative of the nation, also remain Protestant. But we enter into different considerations, and are extending the Act of Settlement most unreasonably, if we say that the Governor of a colony shall not be a Roman Catholic. And if we consider the matter with reference to Ireland, surely we are not to say that an able man, a loyal subject, a man respected as loyal by the people, and fitted to represent Her Majesty, is to be excluded because he is of the religion of the great majority of the Irish people. Those who are maintaining that position—and it has not yet been justified—would have some difficulty in justifying it. And how useless is this law in any way as a bulwark of the Constitution! The Prime Minister may be a Roman Catholic. The hon. Gentleman who has just sat down said that it would be impossible to prevent it, but it cannot do much harm because the Prime Minister is only the head of the Cabinet, which is a thing unknown to the Constitution. Well, religious tests are now abolished; the Prime Minister, the Cabinet Ministers, and other Advisers of the Crown may be of any religion, or may be of none; but to maintain that the Lord Chancellor's opinion in the Cabinet is so great as to outweigh the authority of the other Ministers is to reverse the notorious facts of the situation. It is to say that the Lord Chancellor's position is of greater importance than we know it to be. The question of patronage I will only touch upon for a moment. I gathered from what the right hon. Gentleman the Member for Mid Lothian said that before going into Committee practically on the Bill he would make some new suggestion as to patronage. For my part I think it is very much required, for the effect of Clause 3 might be to narrow rather than to widen the scope of the measure in the powers the occupant of the Woolsack might possess. There is no bar to a member of the Church of Scotland becoming Lord Chancellor. If so, he would have the right to exercise ecclesiastical patronage. It is not the law of England at the present time that the appointment to benefices in the Church of England shall be exercised only by members of the Church of England. It is only a matter of property, and any person has a right to exercise the patronage belonging to his office, or which is his in right of possession of an advowson. It requires great consideration before we find ourselves convinced it is desirable to narrow that right. The right hon. Member for Mid Lothian has said that Scotch Members ought to be careful in allowing the Lord Chancellor to be described as Lord Chancellor of Great Britain. But the Lord Chancellor is Lord Chancellor of Great Britain by virtue of the Act of Union with Scotland, which says that there shall be one Great Seal for England and Scotland. The Great Seal is a mark of the nationhood of Scotland. Her Majesty may give her sanction to some important Treaty or some great Imperial Act, and is Scotland not to be represented by that Great Seal? I dislike to see the narrower word "England" substituted for what is by Act of Parliament the rightful designation of "Great Britain." I like to think that in these great Imperial Acts Scotland as well as England is represented in the form of the Seal. I do regret, as I said before, that the Government have not accepted the Bill, that in the strong position they occupy they have not been able to clear themselves from any suspicions of old-fashioned, out-of-date origin, and that they have yielded to pressure from the least wise section of their supporters. I am sorry to have to vote against the Government, whose general course of policy I approve. What the right hon. Member for Mid Lothian may have done 15 or 20 years ago is not the question. We have to judge of the matter on its merits. Are we to go on in the direction of advance in which this country has been going for two centuries—in the direction of throwing open these offices—or are we now to stand still? I believe that the country has been advancing in the right direction, and I shall be sorry if the Government, in consequence of its action on this occasion, should seem to try to check that steady progress.

*(3.14.) COLONEL SANDYS (Lancashire S.W., Bootle): I confess the temptation to speak at length on this subject is very great. I do not often trouble the House with my remarks and opinions, and under present circumstances, and seeing the House is anxious for a Division, I will not express my views at any great length. I am afraid that I may perhaps be classed in that category referred to by the right hon. Gentleman the Member for Mid Lothian as of those who champion everything that ought to be swept away. But, at any rate, I venture to stand before this House as the upholder of principles which I believe are held by a very large majority of the people of England, and I believe of Scotland too. I have this morning had the honour of laying on the Table of the House Petitions signed by over 50,000 English people, a large number being members of the Baptist persuasion. That is, I venture to say, a strong and conclusive argument that they are not in favour of the Bill. Other Petitions in the same direction have also been presented, and I may state that, having had the honour of addressing large meetings in different parts of the country in reference to this particular Bill, I have invariably found a unanimity of opinion ranged against it; and if the House of Commons is to reflect the views of the majority of the people of this country, it will reject the Bill. I oppose the Bill, because I believe that the cession of these two great offices of State to the professors of another faith would logically lead to a course which would endanger the constitutional liberties of the people of this country. The present measure, unlike that of last year, makes no provision, in the event of the Lord Chancellor for the time being being a Roman Catholic, for the State ecclesiastical patronage being exercised by the Archbishops of the Church of England. Sub-section 1 of Section 3 of the present Bill provides that any right of presentation to any ecclesiastical benefice belonging to the office when held by a Roman Catholic shall be exercised by such person or persons as Her Majesty may appoint. There is no provision that such person shall profess the Protestant faith. There is no mention of the Archbishops of Canterbury and York, as was the case in the Bill of 1890, and as, has already been pointed out, there is no condition at all that this person or these persons shall be of the Protestant faith. I think that is a very important point of difference which

certainly does not tell in favour of the present Bill. The Bill is entitled "The Religious Disabilities Removal Bill," but it should more properly be called "The Political Disabilities Removal Bill." There is no question of religion in this matter at all. At the present moment none of Her Majesty's subjects suffer under any religious disabilities at all. A Roman Catholic is not objected to because of his religious faith, but because of his political views. I agree in according to every Roman Catholic the free exercise of this religion. I have no objection whatever to Roman Catholicism as a faith for those who can accept it. What I object to, and the ground upon which I oppose the Bill, is the Roman Catholic system, and not the Roman Catholic faith. That system is of a two-fold nature. It has its own faith and form of worship, which concerns only the members of that faith, and this is not the time or place to discuss that. What I will briefly deal with now is the political side of that faith. The Roman Catholic Church is a great political power, and its Bishops and other functionaries are political agents. This is why the people of this country, whose instincts, where their constitutional freedom is concerned, are unerring, have condemned this Bill. They feel that, if this Bill were carried, great political influences would be brought to bear against their liberties. That may be a strong statement, but I am prepared to support it by quotation and argument. Let us look for a moment at the Bill itself. I have mentioned the difference between this and a former Bill in reference to ecclesiastical patronage. Now, suppose for a moment that the Lord High Chancellor is appointed under the circumstances contemplated by the framers of the Bill. Will anyone deny the importance of the position occupied by the Lord Chancellor? The right hon. Member for Mid Lothian has ridiculed the title of Keeper of the Queen's Conscience, which attaches to the Lord Chancellor, and has pointed out that the title comes down from pre-Reformation times; but, at any rate, the Lord Chancellor is still the most intimate adviser of the Sovereign. How can you expect the holder of that high and responsible office to discharge the duties attaching to the intimate adviser of the Sovereign when the conscience of the Lord Chancellor himself would, under the circumstances, be in the keeping of the Roman Catholic priesthood, and his first allegiance be due to a foreign Power? I do not see how you can appoint such a man to be intimate adviser of the Sovereign of this realm in accordance with the spirit and terms of the Act of Settlement. I have taken the trouble to look out the duties that devolve upon the Lord Chancellor, and hon. Members may judge of the importance of the position of this State functionary and the influence he exercises. Excluding for a moment the ecclesiastical patronage, the Lord Chancellor is *ex officio* a Privy Councillor and Member of the Judicial Committee of the Privy Council; he is Prolocutor of the House of Lords; appointer of the Justices of Peace throughout the country; keeper of the Sovereign's conscience, or in other words the intimate adviser of the Sovereign; visitor of all Hospitals and Colleges of Royal foundation; patron of all Crown Livings entered in the "King's Book;" he is general guardian of all infants, idiots, lunatics, and wards; general superintendent of charitable uses throughout the Kingdom, besides his jurisdiction in the Court of Chancery over wards; he is Keeper of the Great Seal of England—and I may mention that this seal having been once affixed to a document has a force only to be set aside by an Act of Parliament, and it is not difficult to imagine that in certain social crises the Broad Seal of England thus used might lead to very serious complications—[*a laugh*]—that statement is treated with ridicule by some person, but the House will, I doubt not, appreciate my allusion and do justice to it. The Lord Chancellor is, moreover, President of the House of Lords Appellate tribunal, and of Lords Justices of Appeal; of the Chancery Division of the High Court; he appoints all the Law Officers, Puisne Judges, County Court Judges (removable) and Justices; he appoints to 12 canonries and to over 600 livings in the Church of England; he reads the Royal Speech, and is always a Member of a Royal Commission to represent the Crown. Does the House think that an official exercising all these functions should be the subject of a foreign Power, for I presume it will be conceded that the allegiance of a Roman Catholic is first to the Pope of Rome and to the *entourage* of the Papal Throne?

I repeat, to the *entourage—or the power behind the Papal Throne*—and gentlemen from Ireland will understand the force of this remark. The right hon. Gentleman has challenged us to prove that the loyalty of our Roman Catholic fellow-subjects may be tainted. While I am ready to admit the loyalty of a great number of Roman Catholics, it cannot be denied that the Roman Catholic owes a divided allegiance, and that in the hour of danger it must be a question with him whether his allegiance is due to the Pope of Rome or to the Sovereign of this country. A dispassionate study of history will show such junctures have arisen, and they may arise again. But to a good Catholic there is no question as to where his allegiance is first due. The question has been raised and answered fully by those most competent to do so.

> "It is idle to expect that the most solemn promises and sworn declarations of the highest Romish dignitaries in this country can in any degree bind the consciences of the rulers of the Church of Rome, or fetter its action in dealing with or enforcing obedience from its subjects in this country."

Who was it ridiculed the idea? No less an authority than the late Cardinal Newman. Dealing in his reply to *Vatican Decrees* with the declaration made by English and Irish prelates in 1826 he says—

> "At that time the clergy both of Ireland and England were educated in Gallican opinions, and had modes of thinking foreign altogether to the minds of the *entourage* of the Holy See."

He goes on to say—

> "British Ministers ought to have applied to Rome to learn the civil dates of British subjects, and that no pledge from Catholics is of value to which Rome is not a party."

So we see that there is then to be an application to Rome when the duties and allegiance of British subjects to the Crown are in conflict with Papal claims? On page 14 we find these words. "No pledge from a Catholic will be of any value to which Rome is not a party." (Remember, I am here quoting the right hon. Gentleman's own words.) He adds—

> "The English statesmen of the future will remember these words, and recollect from whom they come. The lesson to be received is this: although pledges were given, although these pledges were firmly and even passionately asserted, although the subject was one of civil allegiance, no pledge from a Catholic was of any value to which Rome was not a party."

In the light of this statement I leave the House to judge of what value the allegiance of Roman Catholics is likely to be. A good Catholic dare not go against his rule, and I hold that it would be in the last degree unwise in us to leave in any sort of doubt the allegiance of any high officer of State through whom the reputation of the Crown might be imperilled. I therefore trust the House will reject the Bill without entertaining any Amendment whatever.

*(3.33.) MR. ASQUITH (Fife, East): Whatever may be the fate of this Bill, I think that its promoters may fairly congratulate themselves upon the success which it has already achieved in testing the reality and genuineness of some of our current political professions. As has often been pointed out, in this matter of religious disability our legislation has passed through three stages. We began with an era of exclusions, which was followed by an era of toleration, to be succeeded in the present century by an era of liberty. After 60 years experience of growing freedom, we had believed that the doctrine of religious liberty was at last accepted by men of all parties and creeds in this country as part of that common stock of opinion which we may take for granted in all political controversies. From this Debate, however, it appears that some of us have been living in a fool's paradise. The doctrine of religious liberty is that the State in entrusting civil and political rights to its subjects, and in selecting men for its service, has no more duty and no more right to concern itself with their religious opinions than it has with the cut of their clothes or the colour of their hair. That is the principle underlying our legislation of the last 60 years, by which, beginning with Roman Catholics, going on to Jews, and finally dealing with those who profess no religion at all, we have opened the avenues of public life to all without distinction. But speeches have been made by the hon. Member who has just sat down, and by the hon. Member for Stockport, which show that, so far from the principle being universally accepted, there are still those who have not the dimmest and most distant apprehension what it means. The last speaker transported us into the remote past, and repeated phrases and appealed to prejudices which I at least imagined had been buried, and buried beyond the hope of resurrection—in the

grave of Lord Eldon. We witness many surprising things in politics in these days; but since I have been in the House I have seen nothing more surprising than the procession of argumentative and rhetorical ghosts which have stalked along the floor of the House in the broad daylight of this Wednesday afternoon in the last decade of the 19th century. If the arguments against the Bill are good for anything they are good as an indictment against the spirit of the legislation of the last half-century. With one exception there is not an argument that was not met and refuted a hundred times in the first 20 years of this century by the leaders of the Liberal Party of the day, who suffered, and suffered gladly, exclusion from place and power—not a bad thing to happen, sometimes, in the history of a Party—rather than abandon the advocacy of Catholic claims. The one exception is the argument of the hon. Member for Stockport, and others, that the Church of Rome, whatever it may have been in 1829, has now become a different and a much more dangerous body, and has adopted dogmas which have made her a more formidable enemy to human enlightenment and political loyalty. I am not going to take up the cudgels for the Vatican Decrees or the Syllabus, but all history shows that it is hazardous to assume that men's conduct will conform to the logical necessities of their speculative or theological creed. Let us rather look at actual facts. During the 20 years which have elapsed since the decrees were promulgated we have seen Roman Catholic subjects of the Queen in the Army and the Navy, we have seen them exercising the offices of Magistrates and Judges, sitting amongst us in this House, filling high positions in every Department of the service of the State, and admitted to the highest positions in the councils of the Sovereign. Will anyone assert that these men have been less constant in their allegiance, less devoted to duty, less trustworthy in all the relations of public and of private life, than the members of any other Church? That is a dangerous line of argument, because, if a tree is to be known by its fruits, something might be said of the political dangers of a form of faith which in these days keeps alive in its votaries the spirit and the temper of religious persecution; operating, it is true, not by the antiquated methods of the torture chamber and the stake, but in the subtler and equally effective form of social and political ostracism. Why have not the opponents of this Bill the courage of their convictions? If one-half of their arguments were good, they would not content themselves by opposing this modest little measure, but they would, like bold men, propose to re-enact, with all the additional safeguards that the modern developments of Roman doctrine require, the whole apparatus of tests and shibboleths, of declarations and oaths—by which for 150 years you excluded from the rights of citizenship thousands and millions of the most loyal subjects of the Crown. Why do they not apply to their sympathising and somewhat taciturn friends on the Treasury Bench to give them a day for the discussion of such a proposal—and if they do we shall be glad to meet them on that broader platform. But until this question is presented to us we have nothing to do with it. Assuming that we are not going to reverse the current of our legislation, the burden of proof lies upon those who oppose the Bill. What is there to differentiate the office of Lord Chancellor from other high offices of State? Nothing, except the fact that in some books the Lord Chancellor is described as the Keeper of the Queen's Conscience—a relic of the time when the Lord Chancellor was an ecclesiastic, because no one else was well educated enough to discharge the duties of the office. The Lord Chancellor was intrusted with the presentations to the King's livings under 20 marks, and, afterwards, under £20 in value, in order that he might be able to provide pensions and rewards for clerks in the Court of Chancery. The clerks, like their master, were necessarily ecclesiastics, because they could read and write and had sufficient education for the duties they had to discharge. The Lord Chancellor is no longer an ecclesiastic, and the clerks are no longer ecclesiastics, and the whole question of patronage is provided for by the Bill; but the matter is one of detail, subject to amendment in Committee. Suffice it that it would be impossible for a Catholic Lord Chancellor to have any voice whatever in the distribution of patronage. How far is the argument to be carried? The Queen's Conscience may be kept by a Jew (when the patronage is exercised by the Archbishop of Canterbury); by a Nonconformist, bound by his principles to look upon the Established Church as an offence, and yet entitled to present to each living as it becomes vacant; or by an agnostic, a man who will not assert or deny any of the principles which all religious people believe to be of the very essence of religion. He may present to any living he pleases. Will anyone get up, and, by argument, endeavour to demonstrate to the House, all these things being within the law, that a Roman Catholic ought to be excluded from the office which members of all these creeds or of no creed at all may fill? All the other high offices of State a Roman Catholic may fill. The First Lord of the Treasury may be a Roman Catholic. The Secretary of State, with whom rests the prerogative of mercy, may be a Roman Catholic. The Secretary of State for Foreign Affairs, whose duties may include delicate transactions with the Curia of Rome, may be a Roman Catholic. Is any principle involved in excluding the Lord Chancellor where he is a Roman Catholic? Only two arguments have been, or can be, brought against this Bill —both of them equally irrelevant. The first is derived from the Act of Settlement, and from the suggestion that if we pass the present Bill we shall be logically driven to pass another Bill afterwards for a different purpose. The Bill before the House does not purport to touch the Act of Settlement. When, if ever, that Act comes up for revision, the religion of the Sovereign is only one of several matters which will have to be carefully and independently considered. The other argument is still more grotesque. I have not heard it put forward in this House, but I have seen it at least covertly insinuated elsewhere. It is that that Bill is promoted in the interests of particular persons. Is there anybody who seriously believes that to be true? If there is, I beg to assure them that, so far as I am aware, no person engaged in the promotion of this Bill, or who will vote for this Bill, knows or cares what influence it may have on the political or personal fortunes of any man living. What is the attitude of Her Majesty's Government on this question? They are going to oppose the Bill for reasons which I have not been able entirely to understand; but I do not greatly blame them. They have during the last few years inflicted heavy blows upon, and have yet more hard knocks in store for, their Orange friends in Ireland. There have been, too, certain compromising adventures in connection with Ireland and Malta, the recollection of which it is desirable should be effaced as soon as possible. The Government may well think this an opportune occasion to indulge in a little cheap Protestant sentiment. But Her Majesty's Government and those who sit behind them do not constitute the majority in this House. We are curious to know what course is going to be adopted by those supporters of the Government who are good enough to sit amongst us. I do not see many of them in their places; important public engagements appear to have detained some of them in other parts of the country. Until I hear to the contrary, I shall hope and believe that they will follow the manly example of the hon. Member for Roxburghshire and stand true to the old principles of the Liberal Party. Surely it cannot be that the principle of religious liberty is to go with so many others, to be sacrificed to satisfy the devouring requirements of the sacred cause of the Union. However that may be, our course is clear. Sixty years ago the principle of religious exclusion was entrenched in this country behind an imposing fabric of legal safeguards and securities. One after another its strong places have been captured and its walls battered down, until all that remains is this paltry little corner—the solitary and belated relic of a past which can never be rebuilt. The finger of fate is upon it; and although by your votes this afternoon you may for a few years retard, depend upon it you cannot avert its downfall.

(3.51.) COLONEL SAUNDERSON (Armagh, N.): I am glad to have the good fortune to follow a gentleman belonging to the legal profession, because I have always found that, however apposite and unanswerable lawyers' arguments may be, we may depend upon it there is another lawyer in the House who can refute and confute them all. What struck me in the speech of the hon. and learned Member was that there was one work of great interest which he never could have read—*Vatican Decrees.*

The hon. and learned Member has conjured up before the House a vision of ghosts marching down the floor, a procession of bigots reviving musty and rusty traditions of a long past age. If the hon. and learned Member had read *Vatican Decrees*, he would have seen, marching at the head of that procession, his revered leader the right hon. Member for Mid Lothian. I notice that the hon. and learned Gentleman did not, in the course of his eloquent speech, touch one of the main objections to the Bill—the question of the appointment in Ireland of a Catholic Lord Lieutenant, to which I will refer later on. With regard to the Bill itself, and the speech in which it was introduced, I must say that from a Party point of view there never was a move taken in this House more likely to strengthen the Party to which I belong; but I regret that the right hon. Gentleman or any Member of the House should have thought it his duty to bring before the House and the country a question which, in my opinion, is, more than any other, likely to raise those bitter religious hatreds and dissensions which it is desirable should be buried. I, however, find it difficult to regret the raising of a question which has been the occasion of a speech from the right hon. Member for Mid Lothian which, if the right hon. Gentleman will allow me to say so, afforded me very much pleasure to listen to. I believe the whole House, whether they agree with the right hon. Gentleman or not, listened with delight to the wonderful speech which he delivered, so full was it of eloquence, fire, and wit. I do not intend to wander into the legal question, with which I am absolutely incapable of dealing, but I will confine myself to the general question as it presents itself to the ordinary minds of the country, which, after all, will have to record the final verdict on this subject. I wonder why the right hon. Gentleman has brought in this Bill. I suppose the right hon. Gentleman intends to give satisfaction to some part of the community. I do not think the right hon. Gentleman denies that the Bill touches a very important and fundamental question in our Constitution. Who is it the right hon. Gentleman intends to satisfy? Undoubtedly there are certain Roman Catholics in the country who will be glad to see the Bill pass, but, as a rule, they belong to the "classes," with whom the right hon. Gentleman has so little sympathy. The "masses" do not care one farthing about the Bill. Is it to satisfy the sensibilities of his Irish Roman Catholic supporters that the right hon. Gentleman has introduced the Bill? It cannot be that, because they are going to sweep the whole board; they are going to remove every vestige of the British rule from the other side of the Channel. We have heard a great deal about the Keeper of the Queen's conscience. I do not know what that is. But whatever doubt there may be as to who is the Keeper of the Queen's conscience, there is no doubt that the right hon. Gentleman has for some time been the keeper of the Nonconformist conscience. Is it to satisfy the Nonconformists that he has brought forward this Bill? Even among the right hon. Gentleman's most vigorous supporters in this country there have been meetings held absolutely condemning the principle of the Bill. I think it will require all the ingenuity of Radical Members opposite, when they go back to their constituents, to so enlarge the Nonconformist conscience, which I admit is an elastic thing, as to cause Nonconformists to swallow a principle which is absolutely opposed to the true Protestant principles of this country, which I believe are mainly to be found among the Nonconformists. I absolutely fail to see what Party in the country it is that the right hon Gentleman proposes to gratify. The main part of the right hon. Gentleman's argument was enforced in a most eloquent appeal to the House not to choose out one religion at which this blow is to be aimed, and he pointed out that disqualifications are not placed on Buddhists, Mahomedans, or Hindoos. The disqualifications which at one time were placed on Roman Catholics were aimed at their Church for a great reason and object, and that was that the Roman Catholic Church sought to establish supreme authority in this land, which none of the other religious did. But I have not the shadow of a doubt that if any of those other religions had attempted to establish in this country—as the Roman Catholic Church attempted in former times—a political domination and supreme authority, exactly the same restrictions would have been imposed upon them. But the right hon.

Gentleman—and, for my own part, I must say that I admire above all the marvellous agility which the right hon. Gentleman has displayed in skating over very thin ice—the right hon. Gentleman must have known that if he brought this forward we should improve our mind by a careful study of all he has said or written on many subjects from various points of view in former times, and that he would be undoubtedly confronted with the views which he has expressed in those two pamphlets. The right hon. Gentleman has been very strong on the line which he took with regard to removal of Catholic disabilities in 1867. But that was before 1870; and I should have liked the right hon. Gentleman when he was dealing with the subject to have proved to the House that, on mature consideration, having regard to all he has learned since, the opinions he recorded in *Vatican Decrees* and *Vaticanism* are erroneous. Now, what is the argument the right hon. Gentleman employs in *Vatican Decrees?* The right hon. Gentleman points out that in 1829, when Catholic Emancipation was passed, it was passed on the express understanding, deliberately given by the Roman Catholic Bishops, that the authority and power of the Court of Rome did not touch civil obedience, and the right hon. Gentleman reasoned in the *Vatican Decrees* that it had only been on that ground that Catholic Emancipation had been carried; and we are, therefore, led to believe that, according to the argument of the right hon. Gentleman, had the House of Commons been confronted with these Vatican Decrees it never would have passed the Bill for Catholic Emancipation. That is a logical deduction. But it is idle to deny that the Roman Catholic Church is not only a religious community, but a great political power. That is a fact which no statesman can deny. We all know at the present moment that the hopes of the right hon. Gentleman himself of returning to power depend altogether on the success or non-success of the Roman Catholic priests in confronting the hon. Member for Cork. If they succeed in beating the hon. Member for Cork, and return to this House the old style of Irish Nationalist-Liberal-Radical, who at one time were very remarkable for their fondness for place and power, then the right hon. Gentleman may come into power. But from whom would these Roman Catholic priests get their orders? Why have Archbishop Croke and Archbishop Walsh gone to Rome to obtain the last orders of the Vatican and then come back to adopt a very distinct line of policy, which would undoubtedly have an effect, whether for good or for evil, on the destinies of the Empire? Therefore I maintain that it is impossible to deny that the Roman Catholic Church at the present time is a most powerful political machine, and that being so I venture to say that there is a far stronger argument at the present time against removing these two disabilities which exist in our Constitution than there was at the time of the Emancipation. I appeal to the right hon. Gentleman to read his own writings in 1874 and then try to refute what I say. The right hon. Gentleman laid down in his admirable pamphlet four propositions, two of which dealt with religious subjects, and I therefore will not consider them; but the right hon. Gentleman laid immense stress on two of these propositions. I will call the hon. and learned Member for Fife, who hates ghosts, to listen to the words of his leader, though I must do him the justice to say that he could never have had the slightest or faintest indication from the right hon. Gentleman that he has changed his mind on the subject. Well, these are the right hon. Gentleman's opinions, and as he does not deny them they are his opinions still—

> "That she (the Church of Rome) has refurbished and paraded anew every rusty tool she was fondly thought to have disused."

So much for ghosts. Then comes the third proposition, which the right hon. Gentleman descants most upon in this pamphlet—

> "That no one could now become her convert without renouncing his moral and mental freedom, and placing his civil loyalty and duty at the mercy of another."

Those were the opinions of the right hon. Gentleman then, and they are his opinions still. That being so, I entirely share the views of the right hon. Gentleman, who is a very good judge of these subjects, and I maintain that it would be a fatal and disastrous thing for the country to remove these two disabilities which, in its wisdom, the Parliament of 1829 left within the boundary of the Constitution, and to remove the last two hedges which they built round the Protestant succession to the Crown. The hon. Member who last spoke on the opposite side of the House has asked whether we do not believe that our Catholic fellow-countrymen are as worthy of high place, and as capable of high honour and patriotism as any in the land. I cordially share that opinion, and I am sure that if my hon. Friend below me (Mr. De Lisle) ever receives the reward of his energy and talent and should become Lord Lieutenant of Ireland, he would absolutely repudiate and refuse to allow any foreign interference with his well-known loyalty. But there are others whom I would not trust at all. They have been described most admirably and accurately by the right hon. Gentleman, and I really believe that when the right hon. Gentleman wrote this admirable work he was endowed with the spirit of prophecy, and must in his innermost conscience have conceived the probability that some statesman at some remote period might propose a similar measure to this, and it was in order to guard against that probability that he described the position of a convert to the Church of Rome. It is most interesting. The right hon. Gentleman points out in this pamphlet that the Roman Catholic Church has undoubtedly made considerable strides in England, but he qualifies that by saying that it is among the classes. The right hon. Gentleman used these words—

> "It is certainly a political misfortune that during the last 30 years a Church so tainted in its views of civil obedience, and so unduly capable of changing its front and language after emancipation from what it had been before, like an actor who has to perform several characters in one piece, should have acquired an extension of its hold upon the highest classes of this country. The conquests have been chiefly, as might have been expected, among women; but the number of male converts, or captives (as I might prefer to describe them), has not been inconsiderable. There is no doubt that every one of these secessions is in the nature of a considerable moral and social severance. The breadth of this gap varies according to the varieties in the individual character. But it is too commonly a wide one; too commonly the spirit of the neophyte is expressed by the words which have become notorious, 'a Catholic first and an Englishman afterwards'—words which properly convey no more than a truism, for every Christian must seek to place his religion even before his country in his inner heart, but very far from a truism in the sense in which we have been led to construe them. We take them to mean that the 'convert' intends in case of any conflict between the Queen and the Pope to follow the Pope and let the Queen shift for herself, which happily she can well do."

Colonel Saunderson

If the Home Rule policy of the right hon. Gentleman is successful, we may see one of these interesting captive neophytes placed in the position of Prime Minister; and with a Roman Catholic Parliament we shall have Roman Catholic Judges, Roman Catholic juries, Roman Catholic police, and a Roman Catholic Lord Lieutenant. I should like to know what chance the Protestant minority in Ireland would have against an array of that sort. Have we not been amply justified by the step which the right hon. Gentleman has taken in offering, and in proposing to offer for the future, every opposition in our power to this policy? I do not oppose this Bill from any feeling of bigotry. If hon. Members call me a bigot, what do they call the writer of *Vatican Decrees?* I can truly say that in all the many speeches I have made since I became a speaking man I have never in my life uttered words so strong as those I have quoted. I challenge hon. Gentlemen opposite to discover in any speech I have made a single word insulting to the Roman Catholic faith. It is absolutely alien to our sentiments. We are Protestants, and are not ashamed of being Protestants. We are willing to admit the freedom of any one of our neighbours to choose what faith he may. But in opposing this Bill I believe I am giving voice to the wishes and desires of the vast majority of the people of this country, whose opposition to it is not a sign of bigotry or intolerance. If opposition to this Bill is a sign of bigotry, then I am a bigot, and the vast majority of the people are bigots, and are proud to think that this is a Protestant Kingdom. Some people are ashamed of the name Protestant. Those people are generally to be found among the classes, and not among the masses. You do not find Anglicans among the masses. We are proud of the name Protestant; we are not ashamed of what Protestantism has done; and I believe that there are no people who ought to be more faithful to this country than the Roman Catholics themselves. We have swept away all their disabilities except these two, and certainly we ought to draw the line at the Throne. It was through the Protestant Revolution that the present Royal Family was set upon the Throne. We owe our allegiance to the Throne, being Protestant, and we feel that any blow at the Protestant character of the Throne should be resisted to the utmost. Protestantism is what has made our country great; it is what has secured us our liberty; it is the source of our civilisation; and, above all, I believe that Protestantism has secured those free institutions, which confer, alike on Roman Catholics and Protestants, the best blessings of freedom.

(4.20.) SIR H. JAMES (Bury, Lancashire): Mr. Speaker, I desire to record my vote in favour of the Second Reading of this Bill, and I hope the House will allow me in a few sentences to state the reasons, and also to make one reservation, in respect to one of the provisions of the Bill. I am not about to enter into any debate with the hon. and gallant Gentleman who has just spoken. All I will attempt to do is, in a few practical words, to compose his alarm, and not to answer his arguments. I can assure him that among those who support this Bill there are many who are loyal in their devotion to the cause of Protestantism in this country, and many of us who believe that much of the greatness of this country is traceable to the Reformation, and to the Protestantism which, happily, is the foundation of our Constitution. But we do recollect that one of the great reasons why Protestantism has been a blessing to this country is its willingness to show toleration to those who differ from it in their religious belief. I should therefore agree with those rounded periods of my hon. and gallant Friend's speech when he told the House of the blessings of Protestantism. I agree, and I think many who support this Bill would agree, that the Catholic Church, as a political institution, is not one in which we should put our trust and faith, and I hope I do not hurt the feelings of anyone if I draw a distinction between the Church of Rome as a political institution and the belief of one who communicates in that Church. If I thought this Bill would add one iota of strength to the Roman Church as a political body or that it would injure the Protestant power of this country in the slightest degree, I should find myself surrounded by many on this side of the House who would this afternoon be opposing this Bill. As to the existence of the Church of Rome as a political body, it occurred to me during the speech of my right hon. Friend, to which everyone who heard it listened with the greatest admiration—especially that portion of it which reminded us of the great contest of 10 years ago—when he told us of the commencement of the contest and of its end—it occurred to me that there was another deduction to be drawn other than that which he applied. It may be for political purposes hon. Gentlemen opposite fought the action of my right hon. Friend step by step, and successfully fought, in favour of the view they entertained. But there was a body of Members in this House more violent than they, who for other reasons, I believe, opposed the attempted legislation of my right hon. Friend on religious grounds, and they were the Roman Catholic Members who sit below the Gangway, and in every Division they acted in opposion to that toleration of which my right hon. Friend is now the champion. What inference ought we to draw from that? Ought we not rather to act consistently with our own faith and doctrine and declare that in this Protestant country there shall be full and complete toleration and no distinction between men on account of creed? If we treat this matter as a political matter, I would yield to the hon. and gallant Gentleman opposite; but what right have we, if we can get rid of this political consideration, to impose this disability on our fellow-subjects because they do not think on religious matters as we think? If it can be shown that you are doing more than giving freedom of religious belief, then new considerations will arise, on which, I think, much sympathy will be felt with the hon. and gallant Gentleman opposite. Is there anything in the nature of political interference under this Bill? Two offices are mentioned. The hon. and gallant Gentleman has argued against the desirability of the Lord Lieutenant of Ireland being a Roman Catholic. He drew a picture, fairly enough for the purposes of debate, in inverted commas from the pamphlet of my right hon. Friend, and he says, What would be the protection to be given to the Protestants of Ireland? I should say, in the first place, they would have exactly the same protection as the Catholic majority has in these days. But, Sir, the protection they would have is so great that we can afford, I do not say to be generous, but at least to be just. Great Britain is strongly Protestant, the Parliament of

Great Britain is Protestant also, and the Government of the day, founded on a Parliament elected by the people, will be Protestant likewise. And if there should be a Lord Lieutenant of Ireland who should be a Roman Catholic, the Government of the day will be answerable for every act of his. Thus, Parliament will be answerable to the people, the people will be answerable to themselves, and the result will be, therefore, that if a Roman Catholic were appointed, there would be a jealous watchfulness of his acts, which certainly would create that protection which the hon. and gallant Gentleman rightly, I think, wants.

Colonel SAUNDERSON: When I spoke of a Roman Catholic Lord Lieutenant I contemplated Home Rule.

Sir H. JAMES: That is exactly contrary of what I am contemplating. I heard an argument addressed to the House before to-day, which at the time I thought was worthy of notice. It was said, "If you are contemplating that you ought to shut out the justice of this Bill because Home Rule will come into existence, then I fancy you will hear the argument used that you ought to let Home Rule come into existence in order to carry out the provisions of this Bill." I do not think the day for Home Rule has come yet. When it does come we must deal with it; but we who are defending what we regard as the sacred cause of the Union are under the impression that it is our duty to adopt legislation in reference to a state of things which we think will keep Home Rule far off. One word with reference to the office of the Lord Chancellor. As in the case of a Roman Catholic Lord Lieutenant, if a Roman Catholic were appointed to the Chancellorship he would be carefully watched in every act he did, and the safety of the people would lie in the Protestant power being in the ascendant in the country. Then, Sir, one word as to the reservation with which I support this Bill. I must ask my right hon. Friend's attention to the words of the 3rd clause, by which the delegated power is proposed to be given to any person selected by the Crown. I take exception to that provision. If the Lord Chancellor exercises ecclesiastical patronage, he and the Government are answerable for the proper exercise of that patronage. The Government can be censured for it. It will be in the recollection of the House that some 20 years ago there was a Debate in respect to Ewelme Rectory in this House. If you delegate this power of patronage, whether to the Archbishop or any other fitting person, you would never be able to make the Government responsible. If the Bill becomes law as it stands, that responsibility will be evaded. What I am asking the consideration of my right hon. Friend for is whether or not the delegation ought to be limited to a Minister who will bring in to share his responsibility the other members of the Government? I have given my reasons for supporting the Second Reading of this Bill; but I shall certainly in Committee desire to raise again this question to which I have referred. I thank the House for the attention with which it has listened to me.

(4.31.) The ATTORNEY GENERAL (Sir R. Webster, Isle of Wight): I do not intend to detain the House at any great length, but there are one or two matters to which I think the attention of the House should be specially directed. But, in the first place, may I be permitted to join in the tribute of admiration of the great speech delivered to-day by the right hon. Gentleman the Member for Mid Lothian? I have listened to many speeches by the right hon. Gentleman, but never with greater interest than to this one; and, although I am unable to cope with the right hon. Gentleman in point of eloquence, I am bound to say there are some points in the speech upon which I take issue with the right hon. Gentleman, and to which I desire to refer. The right hon. Gentleman began by telling the House that there was grave question as to whether any disability existed at all. If that is so, then this Bill ought not to be introduced at all. It is a Bill to remove certain alleged religious disabilities, and must arouse feelings which, in my judgment, might have been allowed to lie dormant, and which, it must be admitted, ought not unnecessarily to be stirred. The right hon. Gentleman said he had been advised by able lawyers that the view taken and expressed by Lord Coleridge was correct. Then, again, I say that this Bill ought not to have been introduced. The right hon. Gentleman ought, in that case, to be satisfied with the legal position of

Roman Catholics. But he gave a remarkable reason for this Bill, even though no disability in fact exists. He said that although there were grave doubts on this question, and although competent authorities asserted that Roman Catholics could fill the offices of Lord Chancellor and Lord Lieutenant of Ireland, yet no Prime Minister would venture, in the present state of the law, to appoint Roman Catholics to those offices. But why not? Because, apart from the question of law, there exists, as the right hon. Gentleman must have known, a widespread and national feeling that these offices have something about them which caused them to be excepted from the Catholic Emancipation Act, and that such exception ought to exist. This proposal is an attack made on that national feeling without any reason or demand. The right hon. Gentleman used the argument that the opponents of this Bill attacked the loyalty of Roman Catholics. There is no shadow of foundation for that statement. Over and over again in these Debates testimony has been borne to the loyalty of Roman Catholics. I have heard the right hon. Gentleman himself refer to such loyalty. It is not because we on this side of the House distrust the loyalty of Roman Catholics in the slightest that we think this measure ought to be opposed. It is because we believe that there may be, and, indeed, ought to be, in the minds of some men who would be qualified for these appointments if this Bill passed, a feeling which is stronger than loyalty—namely, adherence to their religious faith. That is why we oppose this measure, without reference to the question of loyalty or disloyalty. The right hon. Gentleman said that removing these disabilities, so far as the Lord Chancellor and the Lord Lieutenant were concerned, was not even indirectly making an attack upon the Protestant succession. The language which the right hon. Gentleman used was curious, and seemed to convey some reservation with regard to the possibilities in the future of this question. The speech of my hon. and learned Friend who followed the right hon. Gentleman has given further ground for this suspicion. The right hon. Gentleman said the question of the Crown was far too wide to be now discussed—that the present settlement was not irrational, and that he was not prepared to disturb it. I venture to think that the language used by the right hon. Gentleman was certainly not very felicitous or re-assuring, and it will, I fear, give rise to a lurking feeling that the right hon. Gentleman has been careful to say nothing that will show that he thinks this matter as to the Act of Settlement may not still be a matter for future discussion. That will be the impression conveyed by the language of the right hon. Gentleman, and this impression will be confirmed by the eloquent speech of the hon. Member for Fife, who said there were a great many questions besides the religious question which will have to be discussed when the Act of Settlement comes to be considered. If this impression is erroneous, if it is desired to remove the impression that this measure is in the nature of an indirect attack on the Protestant Succession, it would be well for any right hon. Gentleman who may address the House from the Front Opposition Bench to deal with this matter in clear and distinct language, and not by phrases that are capable of being explained away. There is a curious uncertainty about this part of the right hon. Gentleman's speech to which I think I ought to call attention. He said the Sovereign must be a member of the Church of England. But is that so? The Act of Settlement, as far as I can remember, uses the word "Protestant," and a "Protestant" includes all persons of the Christian Faith who are not Roman Catholics or members of the Greek Church. Now, what are the disabilities that it is proposed to remove? Have the supporters of this Bill satisfied themselves that there are any existing? If they do exist, under what statutes do they exist? If, on the other hand, they do not exist, then this question ought certainly not to have been raised. The Bill contains certain provisions as to the exercise of patronage, but if no disability exists at present, it is rather inconsistent to impose restrictions as this Bill proposes. It is said that Roman Catholics in other positions have fairly exercised their patronage, but it is not sufficient that the holder of an office should perform his duties without cause of complaint. It is extremely important that the public should be satisfied that those duties are satisfactorily executed. It must be borne in mind that the patronage of the Lord

Chancellor, to which reference has been made, is of an ecclesiastical character, which has come to be regarded as being only fitly exercised by a member of the Protestant Church. I desire to thank the right hon. Gentleman very sincerely for his expression of respect for the profession of which I am the unworthy representative. He spoke of it as a glorious profession, and pictured the hardship of a young man going to the Bar, and, by his own talent, becoming the head of his profession, and then being deemed unfit to fill the highest office open to the members of that profession because of his religious belief. Large numbers of men of the Catholic religion have gone to the Bar, and I think it is a strong testimony to their high principles that they have recognised that their first duty is to their religious belief, and that they have not, therefore, sought to take offices to the qualifying oath for which, on religious grounds, they could not subscribe. That is a sentiment which ought to be encouraged, and no man ought to regret his personal disability in that respect. But why, I wish to know, is this Bill brought forward now? Its supporters admit that it is doubtful whether it is required for the removal of legal disabilities; and they also admit that, if required for that purpose, they have had opportunity after opportunity of initiating such legislation. Why, then, is the Bill proposed now? Can its supporters say that it has no connection with their Home Rule schemes, and will the electors of this country think that it has no connection with those schemes? What has been one of the most important arguments we have used on behalf of the Unionist plat form in this House? It has been in defence of the Protestants of Ireland. If Home Rule is granted to Ireland the Protestant community will probably look upon the Protestant Lord Lieutenant as their sole remaining protection. Some people may think that protection would only be nominal, others that it would be substantial; but what justification is there for removing it at a time when it is most important that the idea should not spread further that there is an intention of separating the kingdom of Ireland from Great Britain? It is in this connection that the question of the Crown comes in, for the Lord Lieutenant is the representative of the Crown; he is, so far as anyone can be in Ireland, the representative of the Sovereign. The right hon. Gentleman the Member for Mid Lothian, I may point out, has never retreated from the position taken up by him in the pamphlets, from which extracts have been read. In the later pamphlet he has, it is true, inserted a paragraph saying that his object has been gained by the collection of a large amount of testimony as to the loyalty of Roman Catholics; but he has, at the same time, repeated in still stronger language his views as to the dangers that might arise in consequence of the ascendency of the Roman Catholic church over the followers of that religion. Those who support the Bill have not been able to say that the bulk of the Roman Catholics of England, Scotland, and Ireland, demand that it should be passed, and they have not ventured to say that it has no connection with the Home Rule scheme of 1886. I maintain that no case has been made out for passing the measure, and I trust that it will be rejected by a substantial majority.

*(4.55.) MR. DE LISLE (Leicestershire, Mid): I crave the indulgence of the House for a few moments while I explain the delicate position in which the attitude of the Government has placed me. As a Catholic I have no doubt as to the side on which I should vote; but when I view the question as a Unionist the matter appears to be a little more complicated. As one who supports the legal status of the Church of England my position is yet more complicated. Politically I support the legal status of the Established Church on the grounds laid down by the late Cardinal Newman, in the well-known passage, *Apologia*, Note E—

> "I recognize in the Anglican Church, a time-honoured institution, of noble historical memories, a monument of ancient wisdom, a momentous arm of political strength, a great national organ, a source of vast popular advantage, and, to a certain point, a witness and teacher of religious truth. . . . . Doubtless the National Church has hitherto been a serviceable breakwater against doctrinal errors more fundamental than its own, and my own idea of a Catholic's fitting attitude towards the National Church is that of assisting and sustaining, if it be in our power, in the interests of dogmatic truth."

Fortified by this opinion, I asked the suffrages of the electors of Mid Leicestershire as a supporter of the legal status of the Established Church, and bitterly I was attacked on that account by many co-religionists. And now to connect my position with regard to this Bill. It seems to me that the position of the Lord High Chancellor is closely connected with the Established Church, but the Lord Lieutenant of Ireland's position is different, because the Protestant Church in Ireland has been disestablished. If I thought that by voting for the Bill I should assist those who desire to disestablish the National Church I should not feel myself justified in voting for it; but it has been made clear in the Debate by Her Majesty's Ministers that it is not necessary that the Lord Chancellor should be a member of the Established Church. If by my vote I were to express the view that a Roman Catholic could not be trusted to perform honestly duties which a Jew or an agnostic may be entrusted with, I should be casting a slur upon my co-religionists. Now, as to the question of the Lord Lieutenancy of Ireland; what is my attitude? I came forward as a Unionist, not with the intention of supporting the Protestant ascendency in Ireland, but because in my belief Catholic interests would be best served by the maintenance of the Union. That is not the opinion held by gentlemen representing Irish constituencies, but it happens to be the opinion of the vast majority of the English Catholic Unionists; and I believe as time goes on it will become the opinion of what I may call the Clerical party in Ireland. I very much regret the position the Government have taken up, and I challenge any of the law officers to prove I am wrong in what I am going to say. The Government have taken up a position of hostility to this Motion, although they know the disability has been already abolished. The Tests Act of Charles II. imposed, and the Catholic Emancipation Act maintained, the disability in regard to the oath, but the Act of 1863 abolished the oath altogether, which hitherto prevented the Catholics occupying any high position. I, as a Catholic, thank the right hon. Member for Mid Lothian for his magnificent speech, which will go far to remove the feelings of soreness which his *Vatican Decrees* created. What has the right hon. Gentleman the Member for Mid Lothian to do when he is in Office? Why, to make Lord Ripon Lord Lieutenant of Ireland, and the hon. and learned Member for Hackney (Sir C. Russell) Lord High Chancellor of England. What will happen? All that anybody can do is to ask those gentlemen to take the Oath of Allegiance. Should they refuse to do so they would be fined the sum of £500. But once they had taken the oath, and there is nothing contrary to the Catholic Faith to prevent them, they can perform the whole of the duties connected with the offices. It is quite true that in 1863 Parliament did not intend to abolish the disability, but they did so nevertheless, and all the king's horses and all the king's men cannot set it up again. Well, I entered the House to day with the intention of abstaining from voting, because it seemed to me perfectly immaterial whether I voted for a Bill which had no operative force, or abstained from voting for a disability which no longer exists; and if there had been no glorification of the Reformation I should have abstained from voting. But my hon. and gallant Friend's (Colonel Saunderson) glorification of the Reformation makes it impossible for me to absent myself from the Division, and I should like to remind my hon. Friends who have glorified the Reformation that the opinion they hold is fast fading away in this country. What is the opinion which is fast obtaining in this country? I will quote, not a Roman Catholic, but a Protestant historian—Cobbett's *History of the Reformation*—showing how it has impoverished and degraded the main body of the people, p. 2—

> "Now, my friends, a fair and honest inquiry will teach us that this was an alteration greatly for the worse; that the 'Reformation,' as it is called, was engendered in beastly lust, brought forth in hypocrisy and perfidy, and cherished and fed by plunder, devastation, and by rivers of innocent English and Irish blood; and that as to its more remote consequences they are some of them now before us in that misery, that beggary, that nakedness, that hunger, that everlasting wrangling and spite which now stare us in the face and stun our ears at every turn, and which the Reformation has given us in exchange for the ease and happiness and harmony and Christian charity, enjoyed so abundantly, and for so many ages, by our Catholic forefathers."

The classes—and I am still sufficiently a Tory to think the classes understand the question better than the masses—the classes are already ashamed of the word "Protestant;" they call themselves Catholics, and not Roman Catholics. If you look at the Test Act of Charles II., you will find we were not even honoured by the title of Roman Catholics, we were called Popish recusants. The reason why I refer to this is that it brings me back to the question of the Union, and it is from the Unionist point of view I am now going to direct my remarks. I am of opinion that if there had not been the cruel attempts to compel the Irish people to adopt the reformed religion, the present strained relations between England and Ireland would never have existed; and it is because I look forward to the day when the Irish people will be as attached to the Union as I am that I deprecate the introduction of these questions, and feel compelled to vote for the Bill. My right hon. Friend the First Lord of the Treasury was mistaken in saying these two were the only religious disabilities left in the Statute Book. If the Union is to be a success we must gain over the clergy of Ireland to the cause of law and order; but I ask any sensible Englishman how he can expect the clergy of Ireland, unless they ascend to the practice of heroic virtue, to support law and order, as they ought to as clergymen, so long as these statutes remain unrepealed? There are two sets of clauses of the Act of Emancipation which have not been repealed. One prevents priests of the Church of Rome being elected as Members of Parliament. I have no wish to introduce 50 Irish priests into this House; but I maintain that if you inflict upon priests this disability which is removed from Wesleyan, Methodist, and Presbyterian ministers, you ought to allow them to be represented in the Upper House, as you allow the clergy of the Church of England. Then there are half a dozen other clauses explicitly intended to gradually sweep away all the Religious Orders in Ireland, and making it a penal offence for any men to dwell together in religious brotherhoods or communities, and these disabilities continue to rankle in the minds of the clergy of Ireland. I remember Abbot Fitzpatrick, of Mount Melleray, the head of the Cistercian Order in Ireland, saying to me, "How can you expect us to be enthusiastic in favour of law and order when our very existence, when the very practice of our religious duty is as unlawful in this country as either boycotting or the Plan of Campaign?" By Section 28 and following sections the practice of religious duties by religious bodies is unlawful. It is the same in England, but we are not a sentimental people rather a practical people, and once a law has become a dead letter we are content to ignore it. That is not so in Ireland. I ask the House how they can expect a body of clergy to be devoted to the support of law and order when statutes such as I have cited remain in force? It seems to me that the particular disabilities to which I have referred are well worthy the attention of the right hon. Member for Mid Lothian, and I hope he will soon introduce a Bill to repeal these real hardships. Under all the circumstances, it will be impossible for me to refrain from voting, and therefore with very great regret, but without any wish to blame too seriously the position the Government have taken up, I shall have to go into the Lobby against them. [*Ironical cries of* "Oh, oh!"] If the Union were still trembling in the balance, I might still consider it my highest duty to support the Government in difficulties, but having no fear of the future, confident that Home Rule is dead, I am going to vote for the inoperative Bill of the right hon. Gentleman.

Mr. De Lisle

*(5.15.) MR. CAMPBELL-BANNERMAN (Stirling, &c.): I am sure the whole House has listened with much sympathy to the recital which the hon. Member has given of his honest efforts to steer a course amongst the various currents which move him in opposite directions, but the House will expect some answer to be given to the questions urged in the Debate from the other side of the House. We have had the advantage of two speeches from the Ministerial Bench, but I am bound to say they left me and others in complete doubt as to whether the Government are in favour of the principle of the Bill or against it. The First Lord of the Treasury asked, "Why was the Bill not introduced long ago?" He said to my right hon. Friend, "You were in power for a great many years, and you never touched these disabilities of which you now complain so loudly." Well, the right hon. Gentleman must be aware that the right hon. Member for Mid Lothian was not altogether unoccupied

in those years when he was at the head of Her Majesty's Government. The First Lord of the Treasury's inquiry is one which might be addressed on every occasion when a new reform is proposed. But then the right hon. Gentleman also asked, "Are you sure the Bill is necessary? Have not eminent lawyers stated that, in their opinion, these disabilities are already abolished?" It is a complicated question of legal decision; but one thing, at all events, is certain, namely, that, whether the effect of the Acts of 1863 and of 1867 is or is not what Sir John Coleridge has said it is, if the disqualification has been abolished it has been done without the cognizance and intention of Parliament, and until the intention of Parliament is declared on the subject no one could act on the supposed effect of the law. The spokesmen of the Government have been lavish in their admiration of the loyalty of their Catholic fellow-subjects; but I imagine the Roman Catholics of England, Scotland, and Ireland, would more appreciate those compliments if they saw the Government doing something to relieve them of these disabilities, and did not content themselves with mere empty words. The First Lord of the Treasury submitted that it is undesirable to open these offices in view of the strong prejudice which existed in certain quarters of this country. The House of Commons, then, is to yield to prejudice. That is the *dictum* of the representative of the Government which is the great bulwark against the progress of democratic feeling? and the great protector of right principle against outside clamour. Surely it is a remarkable fact that three executive offices, and three only, were reserved in 1829 from the general provisions of the Emancipation Act. There was also the ceremonial office of Lord High Commissioner to the General Assembly of the Church of Scotland—but everyone must agree that that is not an executive office, and therefore not open to the same considerations as the offices of Lord Chancellor and Lord Lieutenant of Ireland; and also that it would be altogether unreasonable to throw that office open to a person who was distasteful to every member of the body whose presence he represented. If the object and basis of that reservation of offices was the anticipation or allegation of possible political danger, surely it is reasonable to suppose that the area of restriction would have been very much larger, and that many more offices would have been reserved. When one remembers the state of feeling at the time—when we remember that the whole municipal life, the whole Parliamentary life, the whole official life of the country was for the first time being thrown open to Catholics—surely it is an extraordinary fact, considering the angry and suspicious feeling which existed, that three offices only were selected for reservation. I will tell the House why these offices were reserved, and no other. It was for no other reason than this, that the offices possessed Church patronage. It is obvious to anyone who considers the matter that many other offices—the Home Secretary, the Foreign Secretary, the Colonial Secretary, the First Lord of the Treasury—if there had been a suspicion of danger to the Constitution and the liberties of the lieges, would have been reserved, rather than those of the Lord Chancellor in England or the Lord Lieutenant of Ireland. That what I have just stated was the only reason for the reservation is clear from the speech of Sir Robert Peel, in introducing the Relief Bill of 1829, who said—

> "It would nevertheless be quite consistent with its general principle"—

that is, the general principle of Catholic Emancipation—

> "to exclude Roman Catholics from a certain limited number of offices which have special and peculiar duties attached to them connected with the patronage of the Church, or with education, or with the administration of ecclesiastical law."

The position, then, with regard to these offices is briefly this:—The Irish Lord Chancellorship was opened to Catholics by a Conservative Government in 1867, and the Lord Lieutenant of Ireland has lost any Church patronage he had by the Disestablishment of the Irish Church, and there only remains, therefore, the Lord Chancellor of Great Britain, as to whom the point is still open that he possesses the right of patronage and other interference in Church matters. My right hon. Friend made a statement in introducing the Bill which, I think, requires a little explanation. He said we had followed precedent in the drafting of the Bill, but there were some particulars in it which we thought ought to be altered. Undoubtedly, Clause 3 as it now stands does appear to impose a certain new disability upon Nonconformists and persons who are not members of the Church of England, and therefore my right hon. Friend suggested that the Bill should be committed *pro formâ* for the purpose of making the alteration. That is the proper and regular and old-fashioned way of doing it; but it could be done, of course, by way of Amendment in Committee. The clause runs—

> "In case the office of Lord High Chancellor should be held by any person not being a member of the Church of England, then his right of presentation should pass."

We propose to leave out "not being a member of the Church of England," and substitute "professing the Roman Catholic religion." That would leave all Nonconformists, and others who at present have this right, untouched. We would also strike out the words "being a member of the Church of England," which occur later in the clause.

(5.30.) The House divided:—Ayes 224; Noes 256.—(Div. List, No. 34.)

Words added.

Main Question, as amended, put, and agreed to.

Second Reading put off for six months.

MOTIONS.

VOLUNTEER ACT (1863) AMENDMENT BILL.

On Motion of Mr. Boord, Bill to amend "The Volunteer Act, 1863," ordered to be brought in by Mr. Boord, Colonel Laurie, Mr. Howard Vincent, and Mr. Gourley.

Bill presented, and read first time. [Bill 186.]

FALSE MARKING BILL.

On Motion of Mr. Howard Vincent, Bill to check the false Marking of worthless goods by the use of "blind" or fictitious names, ordered to be brought in by Mr. Howard Vincent, Mr. Frank Hardcastle, Mr. Jasper More, and Mr. Blaine.

Bill presented, and read first time. [Bill 187.]

FACTORIES, CERTIFICATES OF BIRTH (FEES) BILL.

On Motion of Mr. David Randell, Bill to reduce the Fees payable in respect of Certificates of Birth of young persons employed in Factories, ordered to be brought in by Mr. David Randell, Mr. Burt, Mr. James Maclean, Mr. William Abraham (Rhondda), Mr. Kenyon, and Mr. Samuel Evans.

Bill presented, and read first time. [Bill 188.]

FIRST OFFENDERS.

Address for—

> "Return of the number of cases within the Metropolitan Police District, the West Riding of Yorkshire, Lancashire, Staffordshire, Warwickshire, and Durham, in which persons convicted of first offences have, by reason of their youth or the trivial nature of the offence, been released under recognizances on probation of good conduct in the years 1888, 1889, and 1890, under 'The Probation of First Offenders Act, 1887;'"
>
> "And, of the number of cases in which such persons have been called upon to appear and receive judgment, or are known to have been subsequently convicted of a fresh offence."—(*Mr. Howard Vincent.*)

PUBLIC ACCOUNTS.

Ordered, That the Committee on Public Accounts do consist of 12 Members.

Sir Ughtred Kay-Shuttleworth, Mr. Barran, Sir Walter Barttelot, Mr. Sydney Buxton, Mr. Crawford, Mr. Jackson, Sir John Lubbock, Mr. Arthur O'Connor, Mr. Salt, Sir Richard Temple, Mr. Webb, and Mr. Wodehouse nominated Members of the Committee.

Ordered, That the Committee have power to send for persons, papers, and records.—(*Mr. Jackson.*)

PUBLIC PETITIONS COMMITTEE.

Second Report brought up, and read; to lie upon the Table, and to be printed.

BUSINESS OF THE HOUSE.

On the Motion for Adjournment,

*THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): Perhaps the House will allow me to refer to the arrangements for Public Business. I made a promise that if the Tithe Bill passed through all its stages this week I would give the right hon. Gentleman the Member for Newcastle-upon-Tyne the first place on Monday for his Motion with respect to Irish affairs. The Tithe Bill is down for Report to-morrow, and it is therefore necessary, if its stages are to be concluded this week, that it should also be read a third time on Friday. If, therefore, I ask for a Morning Sitting on Friday, I hope the proposal will be acceptable to right hon. Gentlemen opposite, and I think it will be the most convenient course.

MR. J. ROWLANDS (Finsbury, E.): I beg to give notice that if the right hon. Gentleman makes a Motion for a Morning Sitting on Friday I shall oppose it.

MR. J. MORLEY (Newcastle-upon-Tyne): I am much obliged to the right hon. Gentleman for fulfilling his engagement with regard to Monday. I would remind him that he promised two nights for the discussion of the Motion. May I take this opportunity of asking that the Government will give full notice of their intention to proceed with the Indian Councils Bill?

*MR. W. H. SMITH: I will endeavour to do so; communications are, I believe, passing between my hon. Friend and hon. Gentlemen opposite. I trust we may have the assistance of right hon. Gentlemen opposite in our endeavour to keep the engagement for Monday; but if we are driven over to Monday for the Tithes Bill, then I cannot offer the right hon. Gentleman that day.

MR. J. MORLEY: Supposing that catastrophe should happen, would the right hon. Gentleman be content to give me first place on Thursday?

*MR. W. H. SMITH: That, of course, would be the only course open to me. But I think it will be more convenient to adhere to the arrangement made, and that it will be seen I have not made an unreasonable proposal.

MR. J. O'CONNOR (Tipperary, S.): With reference to the Irish Bills, will the right hon. Gentleman say in what order it is proposed to take them?

*MR. W. H. SMITH: The Money Resolution will be proposed first, and then the Land Purchase Bill will be proceeded with from day to day.

POLISH POLITICAL PRISONERS.

*SIR J. POPE HENNESSY (Kilkenny, N.): May I ask the Under Secretary for Foreign Affairs whether the Government have any information with respect to the treatment of political prisoners in Poland, as referred to in the *Times* of to-day?

*THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir J. FERGUSSON, Manchester, N.E.): We have received no information on the matter referred to in that article.

House adjourned at five minutes before Six o'clock.

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HANSARD'S PARLIAMENTARY DEBATES,

VOLUME CCCXLIX:

FIRST VOLUME OF SESSION 1890-91.

Explanation of the Abbreviations.

Bills, Read 1°, 2°, 3°, or 1ª, 2ª, 3ª, Read the First, Second, or Third Time.—In Speeches. 1R., 2R., 3R., Speech delivered on the First, Second, or Third Reading.—Adj., Adjournment. —Admy., Admiralty.—Amendt., Amendment.—A., Answer.—As., Answers.—Att. Gen., Attorney General.—Ch. of Exch., Chancellor of the Exchequer.—Chf. Sec., Chief Secretary. —Cols., Colonies. — *c.*, Commons. — Com., Committee, Committed. — Con., Considered, Consideration.—Dept., Department.—Fin. Sec., Financial Secretary.—Fn. Affrs., Foreign Affairs.—*l.*, Lords.—Ld. Adv., Lord Advocate.—Obs., Observations.—P.M. Gen., Postmaster General.—Pres., President.—Pres. Bd. Ag., President of the Board of Agriculture.—Pres. Bd. Trade., President of the Board of Trade.—Pres. Loc. Gov. Bd., President of the Local Government Board. — Q., Question. — Qs., Questions. — R.P., Report Progress. — Re-com., Re-committed, Re-committal, Re-commitment.—Res., Resolution.—Sec., Secretary.—Sol. Gen., Solicitor General.—Treas., Treasury.

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Jan 29—The Right Honourable Sir James Hannen, Knight, President of the Probate, Divorce, and Admiralty Division of the High Court of Justice, appointed a Lord of Appeal in Ordinary under the provisions of the Appellate Jurisdiction Act, 1876, with the dignity of a Baron for life by the style and title of Baron Hannen of Burdock in the county of Sussex

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